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ANTIQUITIES

OF THE SHIRES OF

ABERDEEN AND BANFF.

ABERDEEN : PRINTED BY WILLIAM BENNETT.

Spalding Club, Aberdeen,  
[Publications no. 173  
AF

# ILLUSTRATIONS

OF THE

## TOPOGRAPHY AND ANTIQUITIES

*Excerpt from the Report by the Council of the Spalding Club, to the eighth annual general meeting of the members, held at Aberdeen, on Tuesday the twenty-second day of December, 1846.*

A volume of ILLUSTRATIONS OF THE TOPOGRAPHY AND ANTIQUITIES OF THE SHIRES OF ABERDEEN AND BANFF, edited by JOSEPH ROBERTSON, esquire, has been for some time at press, and but for accidental circumstances which hindered the printer from fulfilling his engagement, would have been finished before this period. It will be issued early in the year 1847.

The materials placed at the Editor's disposal, chiefly from the charter-rooms of ancient families within the two counties, have so far exceeded expectation, that it has been found necessary to divide the work into Three Volumes. The Second of these, containing the beginning of the Text, will appear first; the Third, giving the conclusion of the Text, the Appendix, and a copious Index (as well to this work as to the COLLECTIONS FOR A HISTORY OF THE SHIRES OF ABERDEEN AND BANFF), will appear next; and the First volume, occupied with a lengthened Preface, and its documentary illustrations, will be delivered last of all.

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Spalding club, Aberdeen, Scot.  
[Publications no. 172  
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THE SECOND VOLUME.

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\* Like defences appear to have been in use in Ireland, among the natives beyond the English pale, so

lately as the end of the sixteenth century: "Habent item areas magnis aggeribus et fossis circum-

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datae, dumetis et virgultis circumseptae. In hac, quoties angustis virgentur, armenta detrudunt; vti melius a grassatorum incursionibus et a tagacium furtis, obvallata inclusione, vindicentur." (Richardus Stanishursti Dublinensis de Rebus in Hibernia Gestis, lib. i. p. 33. Antverpiæ 1584.)

The importance of fortified places of refuge in the middle ages was such, that we find Roger of Scalebroc, a great lord in Carrick, towards the end of the twelfth century, granting to the monks of Melros, a toft under his castle of Grenan, where they might place their goods and chattels; "et toftum subtus castellum meum de Grenan ubi possint res suas et catalla reponere." (Liber S. Marie de Melros, tom. i. p. 27.)

\* By an oversight of the transcriber, the following passage has been omitted from the text, in the Lessons for S. Ternan's day. It follows the word "Albaniam" p. 54. line 8.: "Coniecturarius autem qui terre illius principatum tenuit Beatum Ternanum cum multitudine qui secum venerant aspiciens sic alloquitur: Hypocrite - quid in terra mea queritis - Sanctus respondit: Salutem tuam querimus ut Deum cognoscas et illi soli servias - Dixit autem Coniecturarius: Hec subdola desine verba dicere - sique repulsam passus Sanctus recessit et

eo recedente pes ipsius Coniecturarii lapidi in quo stetit ita adhererat ut anelli non poterit - cumque pro eo Sanctus orasset liberatus et baptizatus est."

In the middle of the sixteenth century, a copy of the Gospel of S. Mathew, believed to have been given to S. Ternan by Pope S. Gregory the Great, was preserved at Banchory S. Ternan, with other relics of the Apostle of the Picts (Registrum Episcopatus Aberdonensis, vol. i. p. lxxxvi.) The same work preserves another deed regarding "the bell of Sanct Ternan callit the Ronecht" (vol. i. pp. 327, 328.). Several instances of the devotion in which consecrated bells were held in Scotland, have been collected in the Liber Collegii Nostre Domine Glasguensis, pp. xxiv-xxvi. To these may be added the following note (for which I am indebted to the learned Professor of History in the University of Edinburgh) of a charter by King James VI., in the Register of the Great Seal, of the fifteenth of September 1572, settling in feu to Donald Dewar the forty penny lands of Garrindewar in Strogartney of Meneth: "que olim pro pulsatione unius campane coram mortuis personis infra parochiam de Kilmahug tempore papiamatis fundate et dedicate erant - nunc in manibus nostris devenerunt ratione alterationis status religionis et abolitionis servicii predicti."

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\* The Lord Primate seems to have been not unmindful of the place of his birth. In his Household Book, there is entered a payment of six shillings

Scots, in February 1664, "to Jeane Fotheringham a poore woman in Banff." (The Miscellany of the Maitland Club, vol. II. part II. p. 516.)

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\* See, as to the office of "clericatus parochialis," *Liber Officialis* S. Andree, pp. xxviii, xlii-xlviii, 117, 118, 120, 121, 131, 132, 137, 138; *Riddell's Inquiry into the Law and Practise in Scottish Peerages*, vol. ii. pp. 682, 683; *Registrum Episcopatus Glasguensis*, vol. ii. pp. 435, 436; *Collections for a History of the Shires of Aberdeen and Banff*, pp. 309, 310, 628.

† Saint Ninian's chapel in this parish, where one, if not more, of these prelates lies buried, is recorded to have been the scene of a miracle, so recently as the beginning of the seventeenth century. "Sub annum Christi 1608. accidit miraculum, quod, omnibus aliis omisiss, hic subiungam. Erat sacellum Dno Niniano sacrum non longe a Spea



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fluio vbi in oceanum influit. Quidam anno vno aut altero aegrotus decubuerat: destitutus iam viribus, curauit vxor vt transferretur in dictum sacellum quamuis tecto priuatum, vt Deo creatori suo ibi pietatis causa spiritum redderet. Tota nocte remansit sub dio aeger mortem expectans, sed ecce tibi circa galli cantum obdormiscit: in somno adstat senex venerabilis admodum, qui crura ipsius

stringens, surgere iubet, et domum repeteret. Fecit quod imperabatur, occurrit vxor, turbatur, spectrum se videre existimat. Loquitur aeger vxori se esse, non spectrum: clamat, rem narrat, tandem simul Deo et Niniano sancto gratias agunt." (D. Camerarius de Fortitudine Scotorum, pp. 174, 175. Paris. 1681.)

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rario meo . Roberto de Londonia filio meo . Willelmo Cumin justiciario Scoocie . Ricardo filio Hugonis . Herberto de Camera . Ricardo Reuel". (Registrum de Dunfermelyn, p. 82.)

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\* On the eighteenth of April 1364, the Abbot of Deir, "cum uno socio et sex familiaribus suis equitibus et eorum garcionibus," had letters of safe con-

duct from King Edward III., for a pilgrimage in England (Rotuli Scotiæ, tom. i. p. 382.)

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\* S. Finian, probably the founder of Innisfallen. The feast of S. Finian, confessor, surnamed the Leper, was celebrated in Ireland on the sixteenth of March. The feast of S. Finian, bishop and confessor, was observed by the Scottish church on the eighteenth day of the same month. (Breviar. Aberd.; et Kalend. et Martyr. Aberd.) In the beginning of the last century 'Finnean fair at the kirk of Migvie,' was kept 'whites in March and whites in April, on the Tuesday before Midlentron fair at Banchrie.' (Aberdeen's New Prognostication for the year 1708.)

† The festival of S. Mochtens, surnamed Mochta Lugh, first bishop of Louth, was held on the nineteenth of August. 'Luoch fair' at the kirk of Tarland is still kept about the same season. S. Mochtens is supposed to be the 'quidam proselytus Brito, homo sanctus, Sancti Patricii episcopi discipulus,' whose prophecy of the future renown of S. Columba, is recorded by Adomnan in the second preface to his Life of the venerable Abbot of Iona. (Pinkert. Vitae Antiq. SS. Scot. p. 55.)

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\* III. Non. Nouembria. Sancti Nidani confessoris apud Midmar. (Excerpta e Martyrologio secundum usum Ecclesie Aberdonensis, apud Wodr.

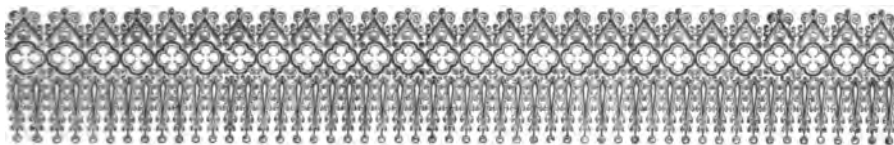
Biograph. Collect. vol. i. introd. append. no. 11. MSS. Bibl. Univ. Glasg.) Cf. Regist. Episc. Aberd. vol. i. p. lxxxvii.

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**ILLUSTRATIONS**  
**OF THE**  
**TOPOGRAPHY AND ANTIQUITIES**  
**OF THE**  
**SHIRES OF ABERDEEN AND BANFF.**





## THE SHIRES OF ABERDEEN AND BANFF.

### THE PRESBYTERY OF KINCARDINE.

#### THE PARISH OF KINCARDINE O'NEIL.<sup>1</sup>

DESCRIPTION OF THE PARISH OF KINCARDIN ONEIL. BY MR. WILLIAM  
ROBERTSON. A.D. M.DCC.XXV.<sup>2</sup>



HE parish of Kincardin Oneil, in the sheriffdome of Aberdeen, is bounded, on the south-east, with the parish of Banchory Ternan; and, on the east, divided from Midmar by The Hill of Fair; on the north and north-west, by the parishes of Tough and Lumphanan; on the west, by the parish of Aboyn; and on the south, by the parish of Birss.

The church of Kincardin is situate within a mile of the west end of the parish, very near the river of Dee, which runs on the south side of the same, and is passed by a ferry boat opposite to the village call'd Kincardin Oneil, in which the church stands. The said church is distant from Aberdeen eighteen miles westward up the said river; from Banchory, six miles; from Midmar, six miles; from Lumphanan church, two miles; from Aboyn church, two long miles; from Aboyn castle, three short miles; and from Birss church, two miles. The said church is a goodly edifice, higher and wider than any other upon Dee, thatch'd at present with heather. Tho' the building be pretty large, yett it's shorter by a half, as appears by the remaining walls, than it has been within these hundred years. It stands in the east end of the town, in a

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 631. Aberdeen, 1843. 4to. Presented to The Spalding Club by the Earl of Aberdeen.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv. (Jac. V. 4. 19.)]

large churchyard, with a pretty good bell on the west end of it. The kirktoon is a burgh of barony, containing about thirty families, and is pretty well accommodated for passingers, with which it is frequented, in their way south and north by The Cairn of Mount. There is a tollbooth in the said town, and several other good houses, but none slated. The heritour of the town, and lands belonging thereto, is John Forbes, youngest son to the late Sir John Forbes of Craigivar, who purchas'd it from the Strachans, who had long possessed it. The minister's house is separated from the town, on the east side, by a little burn, over which is ane arch. The minister under Episcopacy, it being a personage, was accounted a baron, and held court within the kirk lands, which are very considerable, which still continue to pay customs, *videlicet* : geese, weddars, *etc.* to the minister. There are three yearly fairs in the said town: the first, on the second Tuesday of May, called May Fair; the second, on the first or second Saturday of July, called Play Saturday; and the third, on the last Tuesday of August, called Barthol Fair, which stands three days; the other two, but a day each. Near to the town, on the north side, is an excellent spring well, called Saint Erchan's Well.

There is scarce any gentleman's seat worth naming in all the parish. The nearest heritour's residence is Milne of Kincardine, a mile westwards up the river from the church, and upon the direct road from Aberdeen to Bremar. The milne goes upon the burn of Desk, which flows from the Lough of Auchlossen, in the parish of Lumphanan, about a mile and an half north-west from the said milne. There is upon this burn, a quarter of a mile above the milne, a very large high waterfall, called The Slogg of Desk, which falls into a very deep pot of water, that has not been known to be anything like fathomable, even in the driest seasons. This burn, which, in a stonecast after it passes the said milne, emptieth itself into Dee, divides Kincardin from Aboyn parish, and is rendered very passable by a strong timber bridge, with stone landsteals, a little above the said milne.

To the northward of Kincardine, about a mile, upon the highway, is a village called Hillhead: midway 'twixt, and Burnside of Lumphanan, (a publick inn,) hard by the town, on the north side, is an inclosure belonging to Sir Patrick Fraser of Dores; the said Sir Patrick being a considerable heritour in this parish, but has no dwelling-house in it: his interest begins hard by the town, and goes along with the road on each side north-eastward, untill it comes to The Burn of Canny, which will be two long miles. The said burn, which is pretty impetuous upon occasions, is passed at Walk-milne by a timber bridge, where is a walk-milne, and very good service at it: there having been a race of people by name Walkers, which have lived there past memory of man. A little below, upon the same burn, is a meal-milne, called The Milne of Mid Bealty. This burn runs from north-west to south-east. From that bridge eastward a short quarter of a mile, is an other

burn running southward from The Hill of Lairnie, on which are two milnes : the first, The Milne of Lairney, near the hill ; the next, The Milne of Craigmyle, about half a mile southward from that, or less.

North-eastward from that, towards The Hill of Fair, a quarter of a mile, is the manour place of Craigmyle, upon a rising ground. The heritor is Alexander Farquharson of Monaltry, brother to the laird of Invercald. He has a pretty good house, new built, having but lately purchased these lands from the heirs of Sir Alexander Burnet of Craigmyle, who, during his having these lands, built a very fine loaft in the church of Kincardine, finely coloured, to be seen intire. East from Craigmyle, about half a myle, lyes The Hill of Fair, a very beautifull hill, and commodious for the country, having a fine soil for fewel, and stored with a great many fine weathers, that stay in it in summer and winter. There is a road breaks off from the former, which was said to go north-eastward, within a short mile of the church, which leads northwards to the said Burn of Canny, passed there only by steps, on the other side of which are the lands of Wester Beltie.

Northwards, a quarter of a mile, are the lands of Lairney, the hill of which is famous for the good kind of stone in it for grave-stones, miln-stones, and hewn stone for building, very much frequented to for that end. On the north side of the hill, towards the east end, is a famous well, near a village called Drumlassie, resorted to the first Sunday morning of May by crouds of people, readily sitting by it all the Saturday night before.

North-west from that well lyes a pleasant litle corner of the parish, called The Breas of Tomads, enclosed with hills on all sides, except a litle open towards the south, thro' which the forsaid burn Canny runs. There is in the midst of that country a miln upon the said burn, called The Milne of Tomads, and another below that, towards the open of the country, called The Miln of Ennek, upon the same burn. The heretour of that corner is Francis Fraser of Findrock, who lately purchased them from the Lord Forbes. His residence is in the mouth of that little country, only distinguishable by a few trees, but belongs to Lumphanan parish.

There is a rode northward through that country, by the church of Tough, and another thro' it, thro' Kinnairny parish, Aberdeenward, from the Highlands. The distance betwixt Tomads and the church, keeping by the church rode, (which passes from the toun up the burn of Kincardine, thro' the hill of Kincardine, and so in over another little hill eastward, thence northward to The Milne of Balnacraig, near which they enter the country,) will be three miles, and four in the remoter places.

From Kincardine, eastward, a quarter of a mile, to a village called Borrowstounne, the highway goes on ; thence turns with the river till it comes to Inchbair, where the highway passes the river by very good ferry boats. There is on the



left side of the rode a litle birch wood inclosed, called The Wood of Cordach, belonging to

Strachan of Dalhaikie, who has an estate in the parish, containing the lands of Slowie and Dalhaikie, which lye betwixt Mossmad on the north and Dee on the south, but no place of residence for the heretour. This Mossmad, which will be two short miles from Kincardin, is very large, and serves a good part of the country thereabout. It's of a foggy nature, and very deep, but appears to stand on water; as appears by an instance of a poor man, a few years ago, who digging a little too deep for the best fewall, which are the better the deeper, was, by the opening of one peat, so suddenly overflowen, that no relieff could be made, notwithstanding severall by-standers. There is, at the west end of this moss, the walls of an old castle, of a vast thickness in the walls, but will not exceed twenty foot square. It's thought to have been under roof in Wallace days, by his book. The rode from Breamar to Aberdeen passes by on the south side of the moss, in dry weather, otherways through the hill of Slowie, which, beginning at Borrowstoun, goes eastward till it comes to Walkmiln of Invercanny, which will be about two and a half miles, and so into the parish of Banchory. On the north side of the said moss is The Hill of Beltie, by the north side of which the rode from Kincardine is continued, and in half a mile reaches another bridge upon the burn of Canny, called The Bridge of Craigour, of timber also.

Eastward from that, a long half mile, is the residence of William Burnet of Camphield, at the foot of The Hill of Fair, known by a little planting about it. Camphield is three miles from Kincardine. Midway betwixt bridge of Craigour and Camphield, is Milne of Camphield, which is serv'd with a small burn coming from The Hill of Fair. Camphield is about a mile south-east of Craigmyle: the said Camphield's land, adjoyning to the parish of Banchory, divided only by a small burn called The Pooly Burn. From the foresaid bridge of Craigour, south-east, about half a mile, is another miln upon Canny, called The Miln of Bealty, which serves the lands of Easter Bealty, lying betwixt the upper end of the hill of Bealty, and a little below the milne.

*Lectiones in die Sancti Irchardi episcopi et confessoris .<sup>1</sup>*

*Inter barbaras et indoctas gentes oriundus fuit Beatus Irchardus in Tol-  
maid in Kincardin Oneyll qui sanctam et celebrem a puerili etate incepit*

<sup>1</sup> [From the *Breuiarium Aberdonense*, prop. *Sanctorum pro tempore estuali*, xxiv. Aug., f. lxxxix. Edinb. 1509, 8vo. The following is the collect appointed for his day: "Omnipotens et misericors Deus qui per fidem tui pontificis Irchardi Pictos a Gallorum seruitute liberasti: concede omnibus eundem deuote querentibus ab omni inimicorum fraude et eterna dampnacione liberari . Per Dominum ."]

vitam / continue sceleratorum ac nephandorum hominum mores et vicia reprehendens detestansque ac abominabiles habuit / Deique preceptis semper inherens in ieiuniis et vigiliis et oracionibus suam carnem afflixit . Audiens autem Sanctus Ternanus Beati Irchardi vitam et mores fore laudabiles et ab eodem in sacerdotem ordinatus suis causantibus prerogatiuis . . . . . sua iurisdictio alia exercenda et gubernanda Beatum Irchardum prout merito in coadiutorem et penitentiarium per vniuersam eius prouinciam elegit qui in huiusmodi officio exactissimam diligenciam exhibuit . Post paucos autem dies / Beato Gregorio ecclesie uniuersalis sedem regente / Romam peciit . Cognito de tanti viri sanctitate / Beatus Gregorius ipsum Irchardum maximo cum honore in Episcopum consecrauit qui non minus in virtutibus et sanctitate omnibus in morum honestate prebens exemplar perseuerauit . Tandem primo a sancto papa facultate et benedictione obtentis ad Scociam reuersus est . Rediens autem Sanctus Irchardus per Pictauiam / Pictos multum per Gallos vidit subiugatos et in seruitutem redactos / pietate motus de eorum aduersitate humilis consultor / per triennium ibidem moram traxit . Cuius sanctitate . prudencia . fide et oracione . dictam Pictauiensem gentem in pristinam libertatem reduxit et liberauit . Quibus peractis eo egrotanti a Deo humiliter postulauit se non visurum mortem donec propriam patriam iterum regressus est videret / iter continuando per partes Anglie et Scocie paulisper predicando vsque ad congeriem in monte de Kincardyn Oneyll in Scocia peruenit vbi honorifice a suis patriotis receptus est . Ipse vero Dei sanctus eius mortem appropinquare intelligens et petitionem a Deo sibi commissam impletam fuisse suis ministris precepit ut eo viam uniuerse carnis ingresso suum funus in quadam biga poneretur et stricte mandauit ut ubicunque dicta biga quiesceret / suum corpus ibidem sepeliri iussit . Hoc facto Deo animam commendando de hoc medio sublatus est . Deinde ministri eiusdem viri sancti sicut eis iussum fuerat corpus exanime in biga rotarum leuauerunt : quo facto biga cum corpore ultro et sponte nullo mouente se ultra Dee fluuium in satis notabili distancia ubi nunc insignis ecclesia / que Kincardin dicitur / construitur . mouebatur ac ibidem immobilis permansit . Demum corpus de prefata deponentes biga ibidem digno cum honore dederunt sepulture quod in presens usquequo requiescit .

THE PARISHES OF LOGIE IN MAR, AND COLDSTONE.<sup>1</sup>DESCRIPTION OF THE PARISH OF COLDSTANE AND LOGIE.<sup>2</sup> (A.D. M.DCC.XXV.)

OLDSTANE and Logie, formerly two parioches, but now united,<sup>3</sup> are bounded, on the north, by Migvie and Tarland; on the south, by Tullich; on the west and north-west, by Glengardin and Strathdone; and, on the east, by Tarland and Coul.

The church,<sup>4</sup> which hath but lately been built, for the service of both parioches, lyes four miles north from Dee, and as many south from Don; twenty-five miles west-north-west from Aberdeen; four, from Aboyn; and eight, from the presbytery seat, at Kincarden Oneil, to the same point; and two miles, west from Tarland.

**Seats.** The gentlemen's seats here are as followes: Whitehouse, one mile south-west from the church, at the foot of the Hill of Rore; Logie, half a mile west from it, at the foot of Culblain; Pittelachie, half a mile, and Blelack, a quarter of a mile, west from the church.

**Rivers.** There are no rivers of note. A brook, called The Burn of Logie, springs from the hill of The Rore, two miles west from the church; and, passing by Logie and Blelack, enters Dee at Miln of Dinnat, in Aboyn parioch, after a course of five miles east.

**Lochs.** In the south parts of the parioch, about one mile from the church, are two lochs, adjacent to one another, named Loch Kaunder and Loch D'awin, at the foot of a steep hill, called Baud Chraskie, through which is a highway betwixt Aberdeen and the heights of Strathdone, *etc.*

**Hills.** Murvin, or The Bunnyach, is a very big hill, in the middle of the parioch; Baad Chraskie, on the south; Knocksoul, on the west; and Culblain, on the south-west. The Forrest of Culblain is remarkable for being the field of several battels, particularly in The Bruces wars, betwixt the regents Murray and Stewart, and The Cummin, where the latter was utterly defeat; and, since, betwixt The Master of Forbes and the Highlanders, where the former was put to flight.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 632.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>3</sup> ["The parish of Logie was annexed to the parish of Coldstone, in the year 1618." (Statistical Account of Scotland, vol. ix., p. 510. Edinb. 1793. 8vo.)]

<sup>4</sup> ["There is a spring, a little to the south of the church, called Poldow, to which great crowds of the country people still resort, and drink of its water for all disorders." (Statistical Account of Scotland, vol. ix., p. 512.)]

## PRESBYTERY OF KINCARDINE—LOGY AND COLDSTONE. 9

The length of the parioch, from Riven, west, to Logie, east, is one and a half miles ; and its breadth, from Smidihill, north, to Monin D'awn, south, two miles.

This is a good countrey, both for corns and pasture, and also well provided in mosses.<sup>1</sup>

Carta ecclesie de Codilstan in Cra Marr .<sup>2</sup> (A.D. 1402.)

Vniuersis sancte matris ecclesie filiis ad quos presentes littere peruenerint .  
Isabella de Dovglass domina de Marr et de Garviach / salutem in omnium  
Saluatore . Noueritis nos in nostra pura et legitima viduitate pro salute  
anime nostre et animarum omnium antecessorum et successorum nostrorum .  
ac pro salute omnium fidelium defunctorum . dedisse . concessisse . et hac  
presenti carta nostra confirmasse . Deo . et monasterio Sancte Marie et  
Sancti Andree apostoli de Lundoris . et monachis ibidem Deo seruienti-  
bus . et imperpetuum seruituris . ius patronatus et aduocationem ecclesie de  
Codilstan in Cra Marr . quod nobis iure hereditario pertinere dinoscitur .  
Tenendum et habendum dictis religiosis et eorum successoribus imperpe-  
tuum / a nobis heredibus nostris et nostris assignatis . ita . libere .  
quiete . plenarie . et honorifice . sicut aliquod monasterium vel aliqua  
domus elimosine infra regnum Scocie aliquod ius patronatus . liberius .  
quocius plenius . et honorificencius . habet . tenet vel possidet . Ita quod  
cedente vel decedente domino Johanne Simonis nunc rectore eiusdem /

<sup>1</sup> ["The principal remains of antiquity in this parish are three large cairns, one of which, a little to the north of the manse, is of an uncommon size. There are likewise several Druidical fanees, in different parts of the parish." (Statistical Account of Scotland, vol. ix., p. 512.)

"Two different farms in the parish have received the name of Cairnmore, from the large cairns within their boundaries. One of these cairns, about half a mile north of the manse of Coldstone, must have originally been of remarkable size. The remains of several smaller cairns appear on a piece of moor ground, a little west from the large one." (The New Statistical Account of Scotland, number xlii., p. 1072. Edinb. 1843. 8vo.)

"Upon the farm of Parks of Coldstone, and on a spot of ground, which, though now drained, has evidently been a morass, there is still to be seen a deep and wide moat, surrounding a slightly elevated area of about an acre." (*Ibid.*)

"In the gable-wall of a house, which forms part of the farm-offices at Mill of Newton, may be seen a sculptured stone, which formerly stood on a rising ground a little to the west, which still bears the name of Tomachar." (*Ibid.*)

"On the farm of Cairnmore of Blelack has been discovered, under ground, part of a paved road of considerable width. Near it is a hollow, which is known by the name of The Picts Howe. (*Ibid.*)

<sup>2</sup> [From the original in the Denmylne Collection of Charters, MSS. Bibl. Adv. (15. 1. 8.)]

liceat predictis abbati et monachis qui pro tempore fuerint / in dictam ecclesiam ut suam pacifice ingredi . et in vsus suos proprios conuertere si confirmacioni eiusdem aliquatenus valeant optinere . et medio tempore libebit dictis abbati et conuentui personam ydoneam presentare ad eandem . Nos vero heredes et successores nostri predictam donacionem siue aduocationem predictis abbati et monachis et eorum successoribus contra omnes mortales warantabimus et imperpetuum defendemus . In cuius rei testimonium sigillum nostrum presentibus est appensum / apud Kyndromi . octauo die mensis Nouembris anno Domini millesimo . cccc<sup>mo</sup> . Secundo .

Confirmacio Regis pro Egone filio Fergusii / de terra de Huchtirerne in Cromarre . <sup>1</sup> (A.D. 1364.)

Dauid Dei gracia . . Rex Scottorum / omnibus probis hominibus tocius terre sue clericis et laicis salutem / Sciatis nos quamdam cartam Thome comitis de Marre consanguinei nostri non rasam *etc.* [inspexisse *etc.* in hec verba] . . OMNIBUS hanc cartam visuris vel audituris Thomas comes de Marre eternam in Domino salutem . Noueritis nos concessisse dedisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Egoni filio Fergusii totam terram nostram de Huchtirerne cum pertinenciis in Cromarre infra comitatum nostrum de Marre pro homagio et seruicio suo nobis inpensis et inpendendis / Tenendam et habendam eidem Egoni et heredibus suis masculis de corpore suo legitime procreatis vel procreandis / de nobis et heredibus nostris libere quiete plenarie et honorifice [*etc.*] . Faciendo nobis et heredibus nostris dictus Ego et heredes sui predicti tres sectas curie nostre / de Marre annuatim . ad tria nostra placita capitalia infra dictum nostrum comitatum de Marre tenenda tantum pro omni alio seruicio seculari exaccione vel demanda nobis et heredibus nostris inde faciendis . Saluo forinseco seruicio domini nostri . Regis . quantum ad dictam terram de jure pertinet [*etc.*] . . In cuius rei testimonium presenti carte nostre sigillum nostrum autenticum fecimus apponi / apud castrum nostrum de Kyndromy . Hiis testibus dominis Waltero Moygne Johanne le Grante et Laurencio Gilibrande militibus . magistris Johanne de Cromdole decretorum doctore canonico Rossensi / Gilberto Armestrange canonico Morauienti / domino Johanne de Marre canonico Abirdonensi . Thoma et Alexandro Brisbane fratribus et multis

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum in archivis publicis asservatum, p. 37. Edinb. 1814. fol.]

aliis . . QUAM quidem cartam *etc.* in omnibus *etc.* approbamus ratificamus et pro nobis et heredibus nostris dicto Egoni et heredibus suis inperpetuum confirmamus saluo seruicio nostro . . In cuius rei testimonium *etc.* presenti carte nostre confirmationis sigillum nostrum precepimus apponi . Testibus *etc.* Apud Kyndromy nono die Septembris anno regni nostri Tricesimo Sexto . .

Inquisicio Elizebethe Ouchirarane . <sup>1</sup> (A.D. 1505.)

Curia capitalis vicecomitatus de Aberdene tenta [*etc.*] septimo die mensis Januarij anno Domini millesimo quingentesimo quarto [*etc.*] Eodem die Willelmus / Alexander Mortimer de Cragiuer / Willelmus Blakhale de Eodem / Henricus Forbes de Kynnellour / Johannes Gardin de Latheris / Alexander Wyntoun de Andait / Georgius Leslie de Eodem / Thomas Craufurd filius et heres apparens Willelmi Craufurd de Fedray / Ronaldus Oudny filius et heres apparens Willelmi Oudny de Eodem / Georgius Meldrum de Pitkerry / Johannes Movat de Loscragy / Willelmus Turing de Fouerane / Alexander Johnestoune de Eodem / Jacobus King de Bourty / Robertus Dogud de Auchnahuff et Johannes Dumbrek de Eodem / Jurati dicunt quod quondam Johannes Ouchtirarne pater Elizibeth Ouchtirarne latoris presencium obiit vltimo vestitus et sasitus ut in feodo ad pacem et fidem domini nostri Regis de terris de Ouchtirarne cum suis pertinenciis jacentibus in comitatu de Mar infra dictum vicecomitatum Et quod dicta Elizibeth est vna de legitimis et propinquioribus heredibus dicti quondam Johannis patris sui de dictis terris cum pertinenciis videlicet de dimidietate earundem Et quod est legitime etatis Et quod dicta dimidietas terrarum cum pertinenciis valet nunc per annum decem mercas et valuit quinque libras tempore pacis Et quod dicta dimidietas terrarum tenetur in capite de supremo domino nostro Rege per seruicium varde et releuij Et nunc dicta dimidietas cum pertinenciis existit in manibus domini nostri Regis ob mortem dicti quondam Johannis patris sui per spacium vnus anni et vndecim mensium aut eocirca per decessum quondam Johannis Comitis de Mar Et prius fuit in manibus dicti Comitis de Mar per spacium viginti vnus annorum aut eocirca racione warde et in defectu veri heredis jus suum hucusque minime prosequentis / Datum et clausum /

<sup>1</sup> [From the Libri Actorum Curiae Vicecomitatus de Aberdeen, MSS. in archivis ejusdem curiae asservati.]

Inquisicio pro Johanne Ouchtirarne . <sup>1</sup> (A.D. 1507.)

Inquisicio facta apud burgum de Abirden decimo quinto die mensis Aprilis anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannirmane de Wattirtoune vicecomitis deputato de Abirden in pretorio eiusdem pro tribunali [sedente] per subscriptos / videlicet / Walterum Berclay de Towy / Johannem Pantone de Petmedane / Alexandrum Jounestone de Eodem / Willelmum Leslie de Balquhane / Robertum Burnat de Balmad / Thomam Chamir de Cultis / Morgund Gilquhame de Tempillande de Kilbethok / Johannem Smith de Smythersland / Alexandrum Smith / Cristesvnum Gray / Alexandrum Adamsone / Far-chardum in Grody / Johannem Adam de . . . . . / Johannem Dumbreck de Eodem / et Renaldum Oudny filium et heredem apparentem Willelmi Oudny de Eodem . Qui jurati dicunt quod quondam Johannes Vcherarne patruus Johannis Ouchtirarne latoris presencium obiit vltimo vestitus et sasitus ut de feodo ad pacem et fidem domini nostri Regis de terris de Vuchtirarne cum suis pertinenciis jacentibus in Cromarr infra comitatum de Marr et dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres dicti quondam Johannis Vuchtirarne patru sui de dictis terris cum pertinenciis racione tallie ex et pro eo quod linealiter descendit de legitimis masculis quondam Egonis Fergou-sone domini de Vchtirarne Et quod est legitime etatis Et quod dicte terre cum pertinenciis valent nunc per annum . . . odecem mercas et valuerunt duodecem mercas tempore pacis Et quod dicte terre cum pertinenciis tenentur in capite de suppremo domino nostro Rege per seruicium warde et rele- uij tamquam comite de Mar Et quod dicte terre cum pertinenciis nunc existunt in manibus suppremi domini nostri Regis per spacium viginti quatuor annorum aut eocirca racione warde et in defectu veri heredis jus suum hucusque minime prosequentis per decessum dicti quondam Johannis patru sui et nunc vigore cuiusdam decreti dominorum consilij Regis de data octodecimo die mensis Decembris anno Domini millesimo quingen- tesimo sexto continentis et declarantis dictas terras in manibus domini nostri Regis remanere et existere ex eo quod nullus heres masculus de dicto quondam Egone linealiter descendens repertus fuit coram se producti quod hucusque permanet in suo robore minime retractatum . Datum et clausum sub sigillo dicti vicecomitis deputati ac sigillis etc .

<sup>1</sup> [From the Libri Actorum Curiae Vicecomitatus de Aberdeen, MSS.]

## PRESBYTERY OF KINCARDINE—MIGVIE AND TARLAND. 13

### THE PARISHES OF MIGVIE AND TARLAND.<sup>1</sup>

#### DESCRIPTION OF THE PARIOCH OF MIGVIE.<sup>2</sup> (A.D. M.DCC.XXV.)



IGVIE parioch is bounded upon the north by Strathdone and Towie; upon the south, by Coldstane; upon the west, by Strathdone; and upon the east, by Tarland.

The church<sup>3</sup> lyes three miles south of the river Don; twenty-five miles west-north-west from Aberdeen; a mile and a half west from Tarland; and seven miles and a half, the same way, from the presbytery seat at Kincarden O'Neil.

Gentlemen's seats are as follows: Pronie, half a mile south from the church, at Seats. the foot of a hill called Maliewat, in the midst of an allar wood: Ardgeith, in the middle of the parioch, a mile west from the church, upon the water of Deskrie: and Blackmiln, one mile east from the church.

Hard by Ardgeith is a chappel, with a well called Buyanswell.

The water of Deskrie takes its rise in The Bunniach, or Morven, four miles Rivers. south from the church of Migvie, and, after a course of three miles south-east through that parioch, by the north side of Ardgeith, enters Don at a house of its name.

The water of Earnen takes its origin at a hill called The Leight, about seven miles north from Corgarf Castle, and runs south-east through Glen Earnen about five miles, till it is swallowed up of Don, at Inverearnen.

Rippachie is a brook springing out of Maliewat, and, after about a mile's course north-west, running into Deskrie.

Hills of note are Murvin, on the west; Culblain, on the south; and Malie- Hills. wat, on the east.

The Don bounds it upon the north. Its length, from the head of Earnenside, on the west, to Blackmiln, east, is six miles; and its breadth, where greatest, only one.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 632.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>3</sup> [“About three hundred or four hundred yards south from the church of Migvie may be seen, on a small eminence, the ruins of a castle of the Earl of Mar, where the feu duties of the proprietor of Blalach, in the parish of Logie Coldstone, were appointed by his charters to be paid annually to the superior. At what period the castle was reduced to ruins cannot be ascertained. Its site is now all under green turf.” (The New Statistical Account of Scotland, number xlii., p. 843. Edinb. 1843. 8vo.)]



This parioch is cheifly fit for pasture, tho' in several places there are good corns. It is now united with the parioch of Tarland.

DESCRIPTION OF THE PARIOCH OF TARLAND.<sup>1</sup> (A.D. M.DCC.XXV.)

TARLAND parioch has on the north the parioches of Towy and Cushny; on the south, Glentanar; on the east, Coul; and on the west, Coldstane and Migwie. The church lyes in the midle of the town of Tarland, three miles south from Don, and as many north from Dee; twenty-four miles west-north-west from Aberdeen; three, north-west from Aboyn; four, south-west from Kildrummy; and six, west from the presbytery seat at Kincarden O'Neil.

Seats. Corrachrie is a gentleman's seat, two miles west from the church.

The village [of Tarland], which is large and commodiously situated for the hills, is a burrough of regality, with a tolbooth, and victuall house for the sale of meal and grain, *etc.*, and a good weekly mercat every Wednesday, with convenient inns.

Rivers. It is watered by a brook of the same name, which arises from Maliewat, two miles west, and runs five miles south-east, through Coul, till it enter Dee at Aboyn.

Hills. Hills of note are, the Soccoth, on the north, and Luddliek, on the east.

Its length, from The Cults, east, to Corrachrie, west, is three miles; and from Tindlair, south, to Oldmiln, is about one mile and a half.

This parioch is fertile of corns, but not weel provided in pasture nor mosses.

Carta Moregrundi comitis de Mar de ecclesia de Tarhlund *etc.*<sup>2</sup> (A.D. 1165—A.D. 1171.)

Moregrundus comes de Mar . Omnibus hominibus tocius terre sue salutem . Sciatis me dedisse et hac presenti mea carta confirmasse Deo et

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>2</sup> [From the Liber Cartarum Prioratus Sancti Andree in Scotia, e registro ipso in archivis baronum de Panmure hodie asservato, pp. 246, 247. Edinb. 1841. 4to. On the thirtieth of March, 1183, Pope Lucius III. confirmed to the same canons of St. Andrews "ecclesiam de Tarualund . cum terra et molendino . ecclesiam de Miguith cum terris eidem pertinentibus . totam decimam de kan . et de uenacione . et de placitis Murgundi quondam comitis de Mar . " (*Id.*, p. 59.) The same churches of Tarualund and Mighaueth were confirmed to the same canons, by Pope Gregory VIII., on the fifteenth of November, 1187, (*Id.*, p. 64); by Pope Clement III., on the ninth of January, 1197, (*Id.*, p. 68); by Pope Innocent III., on the second of June, 1206, (*Id.*, p. 73); by Pope Honorius III., on the fourth of November, 1216, (*Id.*, pp. 77, 78); by Pope Innocent IV., on the thirteenth of June, 1246, (*Id.*, p. 92); and again, by the same Pope, on the nine-

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ecclesie Sancti Andree apostoli de Scocia et canonicis ibidem Deo seruientibus et seruituris . ecclesiam Sancti M'huluoche de Tharuelund cum decimis et oblacionibus omnibus rectitudinibus eidem ecclesie pertinentibus et terram que eidem ecclesie pertinet cum molendino in eadem terra fundato et unam carucatam terre que dicitur Hachadgouan per rectas diuisas suas in pascuis in pratis . in bosco . et plano cum omnibus asiamentis ad illas terras pertinentibus . Tenendas de me et de heredibus meis in elemosinam perpetuam pro salute anime mee et anime Agnetis comitisse sponse mee et pro animabus predecessorum et successorum nostrorum . Do eciam eis et concedo in elemosinam perpetuo decimam tocus redditus mei de tota terra mea uidelicet de coriis de blado . de caseo . de farina de brais . de marches de multonibus . de porcis . et de meis uenacionibus cum carne et coriis . et decimam de placitis et de releuiis meis tam in denariis quam in ceteris adquisicionibus . Concedo eciam eis ut accipiant in nemoribus meis materiem ad edificia sua quantum eis necesse fuerit . et ut habeant communem pasturam ad pecunias suas cum pecuniis meis et cum pecuniis hominum meorum in terris meis sine omni disturbacione et inquietacione . Quare uolo et precipio ut predicti canonici prenomintas elemosinas habeant et teneant plenarie de me et de heredibus meis ita libere et quiete sicut aliquam elemosinam liberius et quiecuis habent in Scocia et possident . Ego uero et Agnes comitissa sponsa mea suscepti sumus a conuentu in capitulo suo in fraternitatem domus Sancti Andree et dedimus et concessimus ut ubicunque in Scocia obierimus / corpora nostra ad sepeliendum ad Sanctum Andream deferantur et in obitu nostro debitum duorum canonicorum cum obierint / nobis a canonicis conceditur . Testibus hiis . Ricardo episcopo Sancti Andree . Matheo archidiacono . Dunecano comite de Fif . Marleswano . Nesio filio Willelmi . Galfrido de Maleuille . Michaeli clerico . Willelmo de Ridal . Malcolum iudice de Fif . Alun mac Gillecrist . Adam milite de Syreis . Adam filio Riccehrin . Rutherin filio Gillemichel .

que nunc vocatur Cothillstane

Carta Willelmi Regis de ecclesia de Tharflund . <sup>1</sup> (A.D. 1165—A.D. 1171.)

Villelmus Rex Scotorum . omnibus probis hominibus tocus terre sue salutem . Sciatis me concessisse et hac carta mea confirmasse Deo et ecclesie

teenth of June, 1248, (*Id.*, pp. 99, 104); and by Pope Martin IV., on the eighteenth of March, 1421, (*Id.*, p. 414.)]

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 220, 221. The same King again

Sancti Andree et canonicis ibidem Deo seruientibus donacionem quam Comes Morgun eis fecit pro salute anime sue et antecessorum suorum de ecclesia de Tharflund cum omnibus iustis pertinenciis suis et cum una carucata terre per rectas diuisas suas . saluo michi seruicio meo de terra et cum molendino in eadem terra fundato . et cum decima de omnibus redditibus suis . Tenendam eis ita libere et quiete plenarie et honorifice sicut alias suas elemosinas tenent et sicut carta ipsius Comitis testatur et confirmat . Testibus . Ricardo episcopo Dunkeldensi . Nicholao cancellario . Matheo archidiacono Sancti Andree . Comite Dunecano de Fif . Roberto Auenel iusticiario . Hugone Giffarde . Willelmo de Mortimer . apud Kingor .

Confirmacio Eadwardi episcopi Aberdonensis de ecclesia de Taruelond .<sup>1</sup>  
(A.D. 1165—A.D. 1171.)

Uniuersis sancte matris ecclesie filiis / Eadwardus Dei gracia Aberdonensis Episcopus / salutem . et Episcopalem benediccionem . Tam presentibus quam futuris innotesco me carta mea confirmasse donacionem Comitis Morgund de ecclesia de Tauerlund quam Deo et ecclesie Sancti Andree apostoli de Scotia et canonicis ibidem Deo seruientibus et seruitoribus . dedit . atque de ceteris decimis quantum ad me pertinet . Saluo iure Episcopali . Testibus . Radulfo capellano meo et Gilandre sacerdote . et Waltero diacono meo . et Stephano diacono . Waltero .

Confirmacio Mathei episcopi Aberdonensis de ecclesia de Tarualund .<sup>2</sup>  
(A.D. 1172—A.D. 1199.)

Matheus Dei gracia Episcopus Aberdonensis omnibus probis hominibus clericis et laicis tocius sue diocesis salutem . Sciant tam futuri quam moderni me concessisse et hac mea carta confirmasse donacionem quam Comes Morgundus et Agnes comitissa sponsa sua dederunt Deo et ec-

(1189—1196) confirmed the same church, with its pertinents, to the same canons: "preterea ex donacione Comitis Morgunt / ecclesiam de Tharflond cum omnibus iustis pertinenciis suis . et cum una carucata terre saluo inde seruicio meo et cum molendino in eadem terra fundato / et cum decima de omnibus redditibus suis" (*Id.* p. 230.) The grant of Earl Morgrund was confirmed also on the twenty-ninth of August, 1228, by King Alexander II. (*Id.* p. 235.)]

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, p. 297.]

<sup>2</sup> [From the Liber Cartarum Prioratus Sancti Andree, p. 298.]

clesie Sancti Andree apostoli et canonicis ibidem Deo seruientibus et seruituris perpetuo in elemosinam . et carta sua confirmauerunt / scilicet ecclesiam de Taruelund cum decimis et oblacionibus eidem ecclesie pertinentibus et cum terra eidem ecclesie pertinente . et cum molendino quodam in illa terra fundato . et preterea unam carucatam terre que dicitur Hachadgouan . et cum decimis tam de redditibus quam de releuiis et de placitis et de uenacionibus suis . et cum omnibus rebus de quibus carta sua illis testatur . Quampropter uolo et auctoritate Episcopali precipio ut prefati canonici prenomintas elemosinas teneant et possideant ita libere et quiete [*etc.*] . Saluo iure Episcopali . Hiis testibus . Malcallano archidiacono de Aberdona . Adam clerico de Helom . Roberto canonico . Wilhelmo et Rogero capellanis . Rogero milite de Wiltona . Odone dapifero fratre Episcopi . Stephano clerico . Gaufrido clerico Episcopi .

Carta confirmacionis Malcolmi filii Moregrundi comitis de Mar . <sup>1</sup> (A.D. 1207—A.D. 1228.)

Malcolmus filius Moregrundi comitis de Mar . Omnibus has literas uisuris uel audituris salutem . Sciatis me concessisse et hac carta mea confirmasse . Deo . et ecclesie Sancti Andree apostoli de Scotia . et canonicis ibidem Deo seruientibus et seruituris . ecclesiam Sancti Mulloch de Taruelund . quam pater meus eis dedit . cum decimis et oblacionibus et omnibus rectitudinibus eidem ecclesie pertinentibus . et terram que eidem ecclesie pertinet . cum molendino in eadem terra fundato . et unam carrucatam terre que dicitur Hachadgoudy per rectas diuisas suas . in pascuis . in pratis . in boscho et plano cum omnibus aisiamentis ad illas terras pertinentibus . Tenendas de me et de heredibus meis in perpetuam elemosinam . pro salute anime mee et animabus predecessorum et successorum meorum . Concedo eciam eis in elemosinam perpetuo decimam totius redditus mei de tota terra mea . uidelicet de coriis . de blado . de caseo . de farina . de brais . de martis . de multonibus . de porcis . et de meis uenacionibus cum carne et coriis . et decima de placitis et de releuiis meis tam in denariis quam in ceteris adquisicionibus . Concedo eciam eis ut accipiant in nemoribus meis materiem ad edificia sua quantum eis necesse fuerit . et ut habeant communem pasturam ad pecunias suas cum pecuniis meis et cum pecuniis hominum meorum in terris meis sine omni

<sup>1</sup> [From the original in the Denmylne Collection of Charters, MSS. Bibl. Adv.]

disturbacione et inquietacione . Quare uolo ut predicti canonici predictas elemosinas habeant et teneant . plenarie de me et heredibus meis . ita libere et quiete sicut aliquam elemosinam liberius et quiecuis in Scocia habent et possident . Hiis testibus . Adam Episcopo Abbiridonensi . Omero archidiacono . Alexandro decano . Malcolmo . Willelmo . Edwardo . Alano . canonicis . magistro Willelmo . Johanne de Caledoure . clericis . Jacobo filio Moregrundi . Duncane fratre ipsius et multis aliis .

Confirmacio Adam episcopi Aberdenensis de ecclesia de Tharualund . <sup>1</sup>  
(A.D. 1207—A.D. 1228.)

Vniuersis sancte matris ecclesie filiis presentibus et futuris . Adam Dei gracia Aberdenensis Episcopus . Salutem eternam in Domino . Nouerit uniuersitas uestra nos concessisse et hac carta nostra confirmasse donationem illam quam Morgundus comes de Mar et Agnes comitissa uxor eius dederunt Deo et ecclesie Sancti Andree apostoli . et canonicis ibidem Deo seruiantibus et seruituris [etc.] silicet ecclesiam de Tharualund cum decimis et oblacionibus [etc.] . Saluis Episcopalibus . Hiis testibus . O . archidiacono et . A . decano nostro . magistro Willelmo . Johanne de Kaldouer clericis nostris . Malcolmo . Alano . Edwardo canonicis de Abyrdene . Johanne et Ricardo capellanis nostris . Ricardo persona de Rathen .

Conuencio inter priorem et conuentum Sancti Andree et Gillemor Scolgo de Tarualont / hominem eorum ligium et natium . <sup>2</sup> (A.D. 1222.)

Anno ab incarnatione Domini . m<sup>o</sup> . cc<sup>o</sup> . xxii<sup>o</sup> . facta est hec conuencio inter dominum . S . priorem Sancti Andree . et conuentum eiusdem loci . ex parte una . et Gillemor Scolgo de Tarualont . hominem eorum ligium et natium ex altera . uidelicet . quod idem . G . tanquam eorum natius et ligius homo de eorum licencia erit cum domino . I . filio bone memorie . M . quondam comitis de Mar . quamdiu ipsi priori et conuentui placuerit . ita quod idem . G . et eius liberi cum tota eorum substantia . sine alicuius contradiccione uel aliquo impedimento . cum dictis priori et conuentui placuerit . ad ipsos tanquam natiui homines sui reuertentur . quibus locum congruum ad habitandum bona fide assignabunt . Et si idem . G . uel

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, p. 300.]

<sup>2</sup> [From the original in the Denmylne Collection of Charters, MSS. Bibl. Adv.]

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eius liberi per annum uel amplius cum dicto domino . I . moram fecerint . annuatim soluent idem . G . uel eius liberi . in recognicionem homagii sui memoratis priori et conuentui unam libram cere in Assumpcione Beate Marie . Et quia idem . G . sigillum proprium non habuit conuencionem istam sigillo dicti domini . I . filii . M . comitis de Mar . fecit signari . Ad maiorem eciam securitatem prefatus . G . tactis sacrosanctis iurauit se conuencionem istam bona fide et sine contradiccione aliqua fideliter seruaturum . Hiis testibus . domino . D . filio . M . quondam comitis de Mar . domino . I . fratre eius . domino . P . de Maleuille . vicecomite Abirdonensi . domino . R . de Stradhehin . Beldin iudice de Ferne . Willelmo capellano de Tarualont . Adam de Cussenin . Maldouenin<sup>v</sup> Mackilledored<sup>v</sup> . Killeserf<sup>v</sup> de Rotheuen .

Carta Agnetis comitisse de Mar de ecclesia Sancti Finnini de Migaueth . <sup>1</sup>  
(A.D. 1153—A.D. 1178.)

Notum sit omnibus sancte matris ecclesie fidelibus . quod ego Agnes comitissa de Mar . dedi et concessi . et hac mea carta confirmaui Deo et ecclesie Sancti Andree . et canonicis ibidem Deo seruientibus . ecclesiam Sancti Finnini de Miggeuth in liberam et perpetuam elemosinam cum omnibus ecclesiasticis rectitudinibus ad eandem ecclesiam iuste spectantibus . cum terra . et cum decimis plenarie dandis . Tenendam in perpetuum tam libere et quiete et honorifice . sicut aliqua elemosina melius . liberius . et quocius in regno Scotorum tenetur . Hanc itaque elemosinam dedi supra memoratis canonicis pro salute anime Morgundi comitis . sponsi mei . et pro salute anime mee . et pro animabus omnium antecessorum meorum et successorum . Testibus . Ada comitissa . matre Regis . Alexandro de Sancto Martino . Roberto de Capella . Willelmo Giffarde . Willelmo capellano . Willelmo Caperun . Roberto de Neuham . Mauricio coquo . Alano de Inuermeth . Edwardo . Willelmo de Mar .

terra ecclesie  
de Migaveth  
vocatur Pet-  
tentagart .

Carta Morgrundi comitis de Mar de ecclesia de Migaueth . <sup>2</sup> (A.D. 1153—  
A.D. 1178.)

Morgrundus comes de Mar vniuersis sancte matris ecclesie filiis sa-

<sup>1</sup> [From the original in the Denmylne Collection of Charters, MSS. Bibl. Adv. The grant is engrossed also in the Liber Cartarum Prioratus Sancti Andree, pp. 249, 250.]

<sup>2</sup> [From the Liber Cartarum Prioratus Sancti Andree, p. 248.]

lutem . Sciant tam posteri quam moderni me dedisse et hac mea carta confirmasse Deo et ecclesie Beati Andree apostoli et canonicis ibidem Deo seruientibus et seruituris . ecclesiam [de] Miggehwith cum decimis et oblacionibus cum terris et cum omnibus rectitudinibus eidem ecclesie pertinentibus perpetuo in elemosinam . Tenendam de me et de heredibus meis ita libere et quiete ut illam elemosinam que melius et liberius et quocius tenetur in tota terra mea . et sicut carta Agnetis comitis sponse mee predictis canonicis donacionem huius elemosine testatur et confirmat . Testibus hiis . Ada comitissa . Hela comitissa . Alexandro de Sancto Martino . Hugone Giffard . Willelmo Giffard . Gaufrido . Michael . Edwardo . Willelmo de Mar . Willelmo de Ridal . Willelmo filio Hugonis Giffarde .

Confirmacio Mathei episcopi Aberdonensis de ecclesia de Miggeueth .<sup>1</sup>  
(A.D. 1172—A.D. 1199.)

Matheus Dei gracia Episcopus Aberdonensis [*etc.*] Sciant tam futuri quam moderni me concessisse et hac mea carta confirmasse donacionem quam Comes Morgundus et Agnes Comitissa sponsa sua dederunt Deo et ecclesie Sancti Andree apostoli et canonicis ibidem Deo seruientibus et seruituris perpetuo in elemosinam / scilicet ecclesiam de Miggeueth cum terris et cum decimis et oblacionibus et cum omnibus reetitudinibus eidem ecclesie pertinentibus [*etc.*] . sicut carta Comitissae Morgundi et Agnetis Comitissae testatur . Saluo iure Episcopali . Hiis testibus . Malcallano archidiacono de Aberdona . Adam clerico de Helon . Roberto canonico . Willelmo et Rogero capellanis Episcopi . Rogero milite de Wiltona . Odone dapifero fratre Episcopi . Stephano clerico . Gaufrido clerico Episcopi .

Confirmacio Adam Episcopi Abyrdenensis de ecclesia de Migaueth .<sup>1</sup>  
(A.D. 1207—A.D. 1228.)

Uniuersis sancte matris ecclesie filiis presentibus et futuris Adam Dei gracia Abyrdenensis Episcopus salutem eternam in Domino . Nouerit uniuersitas uestra nos concessisse et hac carta nostra confirmasse . donacionem illam quam Morgundus comes de Mar et Agnes comitissa uxor

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 298, 299.]

<sup>2</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 300, 301.]

eius . dederunt Deo et ecclesie Sancti Andree apostoli et canonicis ibidem Deo seruientibus et seruituris in perpetuam elemosinam . scilicet ecclesiam de Migaueth cum terris et decimis et oblacionibus et omnibus rectitudinibus ad eandem ecclesiam pertinentibus [*etc.*] . Saluis Episcopalibus . Hiis testibus . O . archidiacono nostro et . A . decano nostro . magistro Willelmo . Johanne de Kaledouer clericis nostris . Malcolmo . Alano . et Edwardo canonicis de Abyrdene . Johanne . Ricardo . capellanis nostris . Ricardo persona de Rathen .

Confirmacio Gilberti episcopi Abyrdenensis de ecclesiis de Tarualund et de Migaueth . <sup>1</sup> (A.D. 1228—A.D. 1239.)

Omnibus sancte matris ecclesie filiis presens scriptum uisuris uel auditoris Gilbertus permissione diuina ecclesie Abyrdenensis minister humilis eternam in Domino salutem . Nouerit uniuersitas uestra nos caritatis intuitu de communi consensu et assensu capituli nostri concessisse et hac presenti carta nostra confirmasse Deo et [ecclesie] Sancti Andree apostoli et canonicis ibidem Deo seruientibus et seruituris donaciones illas quas Adam bone memorie predecessor noster eis fecit ad presentationem domini Morgund comitis de Mar et Agnetis comitis sponse eius . de ecclesia de Taruelunde cum terra ad ipsam ecclesiam pertinente . et uno molendino in terra illa fundato . et preterea cum una caracuta terre . que dicitur Hachagouane . et de ecclesia de Impergauethe [*l. Miggauethe*] . Tenendas sibi in liberam et puram et perpetuam elemosinam cum terris decimis [*etc.*] . Saluis Episcopalibus . Hiis testibus . domino . M . archidiacono nostro . magistro Alexandro decano . Willelmo . Jurdano . Alano . Edwardo . canonicis de Abyrden . magistro Roberto de Laicester . domino Ricardo de Warwiche . fratre nostro Simone de Striuelin . Johanne Roberto Bonayr clericis nostris et multis aliis .

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 301, 302. The same churches of Tarualund and of Migaueth were confirmed to the same canons of the church of S. Andrews, by the dean and chapter of the church of Aberdeen, on the twenty-fourth of April, 1243. (*Id.*, pp. 304, 305; Collections for a History of the Shires of Aberdeen and Banff, p. 566, note.)]



Composicio super terris ad ecclesias de Tarualund et de Migaueth spectantibus etc.<sup>1</sup> (A.D. 1242.)

Anno ab incarnatione Domini . m° . cc° . Quadragesimo secundo . post multas et uarias altercaciones coram uiris uenerabilibus . J . Abbate de Lundors . de May et de Lundors prioribus . domini pape delegatis . habitas inter uiros uenerabiles . Johannem priorem et conuentum Sancti Andree ex vna parte . et nobilem uirum Duncanum comitem de Mar . ex altera . super terris ad ecclesias suas de Tarualund . et de Migaueth . spectantibus et super secundis decimis tocius redditus dicti comitis . de tota terra sua . ex dono nobilis viri Morgrundi quondam comitis de Mar collatis et carta sua confirmatis . scilicet . de cano . de coriis . de blado . de caseo . de farina . de braseo . de martis . de multonibus . et porcis . et de suis uenacionibus . cum carne et coriis . de placitis . et releuiis . tam in denariis quam in ceteris adquisicionibus easque multis temporibus perceperint . Tandem propter plures importunitates et incommoditates et dispendia que dictis priori et conuentui Sancti Andree . accendant in dictarum decimarum percepcione / dicti prior et conuentus de consensu dictorum iudicum cum dicto nobili uiro Duncanocomite herede dicti Morgrundi . spontaneam et finalem innierunt compositionem . tam ex parte dictorum prioris et conuentus / quam ex parte ipsius Duncani . pro se et heredibus suis sibi imperpetuum successuris fidei interposicione roboratam . talem uidelicet . Quod prenomiatus prior et conuentus omnes prenomiatus decimas de se et successoribus suis predicto Duncanocomiti de Mar et heredibus suis remiserunt et imperpetuum quietas clamauerunt . et eque ab earum prestacione absoluerunt . tali condicione . Quod terre et decime ecclesiarum suarum de Taruelund . et de Miggauethe . quas ex dono dicti Morgrundi comitis tenent et possident . huius occasione compositionis in nullo penitus ullo umquam tempore disturbentur vel minuantur . Prenominatus uero comes Duncanus . et heredes sui . prenomiatis priori et conuentui et successoribus suis in recompensacionem dicte remissionis quiete clamacionis et absolucionis coram venerabili patre Radulfo Episcopo Aberdonensi solempniter facte . singulis annis . imperpetuum decem marcas argenti de camera sua persolueret . scilicet quinque marcas ad Pentecosten . et quinque marcas ad festum Sancti Martini . Quousque per predictum comitem Duncanum . vel heredes suos in tantumdem vel uberius

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 332, 333.]

in loco ydoneo et certo dictis canonicis prouideatur . Dictus autem Duncanus comes . coram dicto domino Radulfo . Episcopo Aberdonensi . tactis sacrosanctis euuangelis iuramento interposito subiecit se et heredes suos imperpetuum iurisdictioni eiusdem domini Episcopi et successorum suorum . vt si cessatum fuerit aliquo tempore a solutione . decem . marcarum ad debitos terminos sublato omni iuris remedio / Episcopus qui pro tempore fuerit per canonicam penam . excommunicacionis scilicet in personas . et interdicti in terras possit detentores compellere . vsque ad debitam satisfaccionem . Vt autem hec compositio rata sit et futuris temporibus inuiolabiliter obseruata permaneat / parti huius scripti in modum cyrographi confecti penes dictum comitem Duncanum . et heredes suos . residenti . vna cum sigillo venerabilis patris Radulfi Episcopi Aberdonensis . apposita sunt sigilla dictorum iudicum delegatorum . et sigillum commune capituli Sancti Andree . Alteri uero parti penes dictos priorem et conuentum residenti . vnacum sigillis jam dicti venerabilis patris Radulfi . Episcopi Aberdonensis / et supradictorum iudicum apposita sunt sigilla dicti Duncani . comitis . et domini Willelmi filii sui . Testibus Sancti Andree et Aberdenie capitulis .

Carta Willelmi comitis de Mar .<sup>1</sup> (A.D. 1268.)

Omnibus Xpi fidelibus hoc scriptum visuris vel audituris . Willelmus comes de Mar salutem in Domino . Nouerit vniuersitas vestra nos recepisse ad firmam a viris religiosiis priore et conuentu Sancti Andree . totam terram quam comes Morgrundus auus noster eisdem priori et conuentui . in parochia de Taruelone in puram et perpetuam elemosinam dedit et concessit cum omnibus libertatibus et iustis pertinencijs suis sicut carta eiusdem Morgrundi eis inde confecta plenius testatur . exceptis quatuor acris ex parte orientali et australi eiusdem ecclesie ad vsus vicariorum assignatis . Reddendo inde eisdem canonicis et successoribus suis pro nobis et heredibus nostris quatuor marcas argenti . medietatem ad festum Sancti Martini in yeme et aliam medietatem ad festum Pentecostes . quousque eisdem per nos vel heredes nostros in consimili reddito vel maiori in terra uel in ecclesiastico beneficio fuerit prouisum . Volumus eciam et concedimus vt predicti prior et conuentus dictas . IIII . marcas singulis annis percipiant in terra de Hachadgouan per manus firmarij eiusdem terre . Et hoc eis et

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 312, 313.]

successoribus suis pro nobis et heredibus nostris fideliter promittimus et presenti scripto nos obligamus . In cuius rei testimonium . presentibus sigillum nostrum fecimus apponi . Testibus . dominis Leone de Normanwile . Thoma de Rettrif . W . de Rotheuan . Andrea Betune militibus . Douenaldo Dunecano filiis comitis eiusdem . magistris Ricardo Veriment Thoma de Norham Nicholao de Sancto Andrea . Ranulpho capellano dicti comitis et multis aliis . Datum apud Falkeland . xii° . kalendas Februarii anno gracie . m° . cc° . lx° . Septimo .

Carta Willelmi comitis de Mar de ecclesiis de Taruelond et de Migueth . <sup>1</sup>  
(A.D. 1268.)

Omnibus Xpi fidelibus hoc scriptum visuris uel audituris . Willelmus comes de Mar salutem in Domino sempiternam . Noueritis quod nos ratas et firmas habemus concessionem et donaciones quas dominus Morgrundus auus noster comes de Mar fecit priori et conuentui de Sancto Andrea de ecclesia de Taruelond cum terra et cum iustis pertinenciis suis . Et ratam et firmam habemus donacionem quam domina Agnes auia nostra quondam comitissa de Mar fecit eisdem priori et conuentui de ecclesia de Migueth cum terra et omnibus iustis pertinenciis suis . Et si quid minus legitime per easdem personas predictis priori et conuentui fuerit donatum vel confirmatum super eisdem ecclesiis et terris / nos pro nobis et heredibus nostris quantum per nos et heredes nostros suppleri poterit supplemus [*etc.*] . Damus eciam dicte ecclesie de Migueth unam acram terre prope eandem ecclesiam ex parte australi iacente inter ecclesiam et castrum de Migueth ad mansum vicarij vel capellani in eadem ecclesia seruientis ita libere et quiete sicut terra eidem ecclesie prius data / donatur et confirmatur . Et quia dicti prior et conuentus nobis et heredibus nostris terram suam de Taruelone ad firmam concesserunt sicut in eorum carta plenius continetur nos ad petitionem dictorum prioris et conuentus quatuor acras terre dedimus et concessimus vicario qui pro tempore fuerit . iacentes uersus partem australem et orientalem dicte ecclesie de Taruelone . In cuius rei testimonium presentibus sigillum nostrum fecimus apponi . Testibus dominis Loeone de Normanuille . Thoma de Rettrif . Willelmo de Rotheuan . Andrea de Betune militibus . Douenaldo . Duncano filiis eiusdem comitis . magistro Ricardo Veyrement . Ranulpho capellano dicti comitis et multis aliis .

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 311, 312.]

Datum apud Falkelande . decimo kalendas Februarii anno gracie  
 . m . cc<sup>o</sup> . lx<sup>o</sup> . septimo .

Confirmacio carte Willelmi de Camera . . <sup>1</sup> (A.D. 1362.)

Dauid Dei gracia Rex Scottorum / omnibus probis hominibus *etc* .  
 Sciatis nos inspexisse quamdam cartam Thome comitis de Marre non  
 rasam *etc* . / nec in aliquo viciatam Willelmo de Camera factam de terra  
 de Estirrothnem in Cramarre cum pertinenciis . Tenendam et habendam  
 dicto Willelmo et heredibus suis de dicto comite et heredibus suis libere  
*etc* . cum omnibus libertatibus *etc* . Faciendo tres sectas ad tria placita ca-  
 pitalia dicti comitis apud Mygvethe tenenda pro omni alio seruicio *etc* . /  
 Quam quidem terram idem comes habet warantizare et heredes sui predicto  
 Willelmo et heredibus suis contra omnes homines et feminas . Datum sub  
 sigillo dicti comitis cum testibus vt in forma . Quam quidem cartam in  
 omnibus suis punctis et articulis approbamus ratificamus et pro nobis et  
 heredibus nostris inperpetuum confirmamus . saluo seruicio nostro . In  
 cuius rei *etc* . Apud Strielyne . xxvj<sup>to</sup> die mensis Maij anno regnj nos-  
 trj . xxxiiij<sup>o</sup> . .

## THE PARISH OF COULL.<sup>2</sup>

DESCRIPTION OF THE PARIOCH OF COUL.<sup>3</sup> (A.D. M.DCC.XXV.)



COUL parioch has to the north, Lochell and Cushny; to the  
 south, Aboyn and Glentanar; to the west, Towy and Tar-  
 land; and to the east, Kincarden O'Neil.

The church stands two miles south from the river Dee, on  
 the side of a loch, called The Loch of Strathmore,<sup>4</sup> twenty-  
 two miles west-north-west from Aberdeen; one and a half,  
 west from Aboyn; two, east from Tarland; and four, north-  
 west from Kincarden, its presbytery seat.

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 26.]

<sup>2</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 633.]

<sup>3</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>4</sup> [See the Statistical Account of Scotland, vol. iii., pp. 198, 199; The New Statis-  
 tical Account of Scotland, number xlii., p. 958.]

Seats.

Seats in this parioch are : an old ruinous castle, south from the church, called The Castle of Coull ;<sup>1</sup> and, two miles west from it, Wester Coull.

Hills.

Hills are Soccoch and Laddlelik, upon the north side of it.

Its length, from The Bloody Burn, east, to Tindlae, west, is three miles. Its

<sup>1</sup> [" The most remarkable fragment of antiquity in this parish is The Castle of Coull. It is situated about one-fourth of an English mile south of the manse. Not many years ago, there was scarcely any thing to be seen at all, but a number of little green hills, and the remainder of an old wall, about thirty yards long, and ten or twelve feet thick. The ruins were buried in the ground, and might have continued hid from mortal view, had not a scarcity of manure induced people to dig about the old wall for rubbish : in doing this, they came upon the remains of four gates and five turrets, of very extraordinary dimensions. These last, as nearly as can be guessed, for it is impossible to measure them exactly, on account of their broken state, will be about eighteen or twenty feet in diameter. The walls in those places which seem most entire are fifteen feet thick, built with lime and stone throughout. One of the gates, which is not so much demolished as the rest, is closed above, with a Gothic arch of free stone : this gate is nine feet wide, twelve feet high, and fifteen feet thick. The whole work, as far as it can now be traced, appears to have been a square, measuring about fifty yards on each side. It is only a very small portion of it that is yet opened up : three sides of it, in a great measure, are still under ground. Among the rubbish dug up were found several small pieces of silver coin, with this inscription : ' Alexander Rex Scotorum.' " (The Statistical Account of Scotland, vol. iii., p. 201. Edinb. 1792.) " Upon a rocky eminence, in the vicinity of the church, may still be seen the remains or rubbish of The Castle of Coull. It appears to have been a fortification of considerable extent and great strength, of square form, with large hexagonal towers at its angles. The fosse may still be distinctly seen. It was the seat of the Durwards, a family once of great influence in this district. It is a common saying still, that ' the kirk bell of Coull rings of its own accord when a Durward dies.' " (The New Statistical Account of Scotland, number xlii., p. 959. Edinb. 1843.) See also Collections for a History of the Shires of Aberdeen and Banff, p. 86, note.

" About a mile and a half west of the manse, are to be seen the remains of a Druidical temple. The place is called *Tamnavrie*, which signifies The Hill of Worship ; but there is nothing to be seen but a few large stones, some of them standing upright, others fallen down, without any appearance of figures or inscription." (The Statistical Account of Scotland, vol. iii., p. 201.) " About half a mile south from the church of Tarland, and in the parish of Coull, there is a small hill or eminence, about one hundred and fifty feet in height above the level of the Tarland burn ; its summit of conical form, about one hundred feet in circumference, consisting of solid rock. On this summit may be seen the distinct ruins of a Druidical temple, containing two circles, formed of large erect stones, at short intervals, from four to five feet in height, three broad, and two feet thick. The hill or eminence is known by the name of *Tomnaverie*," *etc.* (The New Statistical Account of Scotland, number xlii., p. 842.)]

breadth, from Tirilodge, north, to Wester Coul, south, is four miles. No rivers but the burn of Tarland, for which see Tarland.<sup>1</sup>

This parioch is very fertile in corn, as are all the other parioches of Cromar, (*videlicet*, Tarland, Coldstane, and Logie, to which some add Aboyn,) but straitned much for pasturage and fewel.

Carta Regis Willelmi de ecclesia de Cule in Marr .<sup>2</sup> (1188—1199.)

· Willelmus · Dei gracia Rex Scottorum · Omnibus probis hominibus  
tocius terre sue · clericis et laicis · Salutem · Sciant presentes et futuri  
me dedisse · et concessisse · et hac carta mea confirmasse · Deo · et  
ecclesie Sancti Thome Martiris de Abirbrothoc · et monachis ibidem  
Deo seruientibus · ecclesiam de Cul in Marr · cum terris · et decimis ·  
et oblacionibus · et obuencionibus omnimodis · et omnibus aliis iustis  
pertinenciis suis · Tenendam sibi in liberam · et puram · et perpetuam  
elemosinam · cum communi pastura · et omnibus aliis aisiamenis ad pre-  
dictam ecclesiam iuste pertinentibus · ita libere et quiete · plenarie et  
honorifice · sicut aliquam ecclesiam liberius et quiecuis · plenius et honorifi-  
cencius · tenent et possident · Testibus Rogero Episcopo Sancti Andree  
· M · Episcopo Aberdonensi · Philippo de Valoniis · camerario meo ·  
Roberto de Quency · W · de Haya · Johanne de Hastings · Henrico  
Reuel · Waltero Murdach · Apud Abirdene · vij · die Junij ·

Nomina villa-  
rum parochie  
de Cule · Es-  
ter Tochres ·  
Wester Toch-  
res · Ochter  
Cule · Galaun  
· Davata de  
Kule ·

Presentacio vicarie de Cowle via permutacionis .<sup>3</sup> (A.D. 1454.)

Reuerendo in Christo patri ac domino / Domino Ingeramo miseratione  
diuina Episcopo Aberdonensi · sui humiles et deuoti Ricardus permissioe  
diuina abbas et conuentus Monasterij Sancti Thome Martiris de Abir-  
brothoc ordinis Sancti Benedicti / Sancti Andree diocesis · Reuerencias  
debitas et honores · Nuper intelleximus quod discretus vir Dominus Lau-  
rencius Starroli vicarius perpetuus ecclesie parrochialis de Covl vestre  
diocesis / cuius ad nos presentacio spectare dinoscitur / huiusmodi suam  
vicariam desiderat ex certis causis rationabilibus permutare · quam per-  
mutacionem ad finem votivum deducere non valet sine nostris consensu et  
assensu · Vestram igitur paternitatem reuerendam requirimus et rogamus

<sup>1</sup> [See above, p. 14.]

<sup>2</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

<sup>3</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

quatenus cum ipse Dominus Laurencius / vel procurator suus legitimus ad hoc specialiter constitutus / huiusmodi vicariam de Cowl causa permutationis vel alias simpliciter resignauerit / venerabilem virum magistrum Johannem de Clat canonicum Aberdonensem ad dictam vicariam sic vacantem caritatis intuitu admittere . et in eadem instituere . ac in possessione eiusdem cum pertinentiis inducere / velitis . quem nunc prout extunc ad eandem vicariam duximus presentandum et tenore presentium presentamus . Datum sub sigillo nostro communi apud monasterium antedictum . vicesimo sexto die mensis Januarij . anno Domini millesimo . cccc . quinquagesimo tercio .

Assedacio ecclesiarum de Cowly et Kynnerny facta Alexandro Gordon de Megmer et suis assignatis . <sup>1</sup> (A.D. 1485.)

Nos Daudid permissione diuina abbas Monasterij de Abirbrothoc / de unanimi consensu et assensu capituli nostri capitulariter congregati / utilitate monasterij nostri undique pensata . assedamus et ad firmam dimittimus nobili viro Alexandro Gordon de Megmer . et suis assignatis . ita quod assignati de consensu nostro admittantur / omnes et singulas garbas decimales ecclesiarum nostrarum de Cowly et Kynnarny / pro terminis undecim annorum plenarie et integre complendorum . Termino introitus dicti Alexandri cum suis assignatis in percepcione et leuacione dictarum decimarum garbaliū incipiente in Festo Sancti Petri ad Vincula datam presencium immediate sequente . sine ulteriori dilacione . Soluendo inde annuatim dictus Alexander et sui assignati nobis et successoribus nostris summam viginti librarum usualis monete regni Scocie ad duos anni terminos . Festa videlicet / Pasche et Sancti Petri ad Vincula / per equales medias porciones / omnibus fraude et dolo postpositis . Cuius quidem summe viginti librarum annuatim soluende fatemur nos recipisse pre manibus a dicto Alexandro summam quadraginta librarum usualis monete regni Scocie in pecunia numerata / in plenariam et integram solucionem duorum annorum proxime futurorum . de quibus quadraginta libris tanquam pro solucione plenaria decimarum garbaliū ecclesiarum predictarum pro duobus primis annis presentis assedacionis quieteclamamus et pro nobis et successoribus nostris exinde exoneramus imperpetuum per presentes . Et ulterius si dictus Alexander aut sui assignati in solucione dicte summe viginti librarum an-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

nuatim ad terminos prescriptos vel infra quindecim dies huiusmodi terminos sequentes defecerit seu defecerint / licebit nobis et successoribus nostris de huiusmodi nostris ecclesiis cum pertinenciis ad nostre libitum voluntatis disponere et ad firmam dimittere cuicunque alteri / ista assedacione in aliquo non obstante . Et nos vero Daudid abbas et conuentus predicti dictas nostras ecclesias cum uniuersis et singulis suis connexis et annexis et aliis justis pertinenciis / predicto Alexandro et suis assignatis pro terminis undecim annorum prescriptorum in omnibus et per omnia ut premissum est varantisabimus et fideliter prout iura volunt defendemus . Datum sub sigillo communi capituli nostri apud idem capitulum . ultimo die mensis Septembris anno Domini . 1485 .

Litera Domini Edwardi Regis Anglie pro Johanne de Hastings . <sup>1</sup> (A.D. 1299.)

[Edwardus Dei gratia] Rex [Anglie etc.] omnibus ad quos [etc.] salutem . Inspeximus quoddam scriptum ad modum cirograffi inter Johannam de Clare / comitissam de Fiffe / et dilectum et fidelem nostrum Johannem de Hastings / dominum de Bergeueneye / confectum in hec verba . A touz ceux qe cest present escrit orront ou verront / Johanne de Clare contesse de Fiffe saluz en Dieu . Sache vestre vniversite qe com jeo fuesse tenuz a monsieur Johan de Hastings / signur de Berueneye / en nef centz et seissauntis marz desterlings / come peert per vne lettre obligatorie qe levantdit monsieur Johan ad de moi : et su de noun poer alauantdite dette paer / per la greuance de la guere Descoce / et dil rauisment Sir Herberd de Morham qi mes biens e mes chateux moi rauiste : E jeo Johanne de Clare / contesse de Fif / ai eu resonable garnisement de leuantdit monsieur Johan de Hastings alauantdite paiement faire / e jeo en volunte a faire son gre a fait les couenantes de suz escrites / le Dymeigne procheyn deuant la Feste de Toutz Seintz en lan dil incarnacioun nostre Seigneur mil e deus centz nonant e neefe . Ceo est asavoir / qe jeo Johanne de Clare / contesse de Fiffe / ei done e graunte / e per cest escrite confirme a monsieur Johan de Hastings / seignur de Bergeueneye / pur avoir aquitance de lavantdite dette / mon`maner de Glapthorne / oue tote les

<sup>1</sup> [From the Patent Rolls of 27 King Edward I., printed in *Illustrations of Scottish History*, from the 12th to the 16th century, pp. 43, 44. Glasgow: Printed for the Maitland Club, 1834. Among the Scottish records taken to England in the year 1296, by King Edward I., was "Charta de Cull." (Robertson's *Index to the Charters*, p. xxv. Edinb. 1798.)]



aportenantes / en conte de Norththamptone / e Carltone oue les aportenantas en le conte de Nicole / ensemblement oue tote mes terres Descoce / cest asavoir / Strazhurd / Kimile / et Loygiastre / oue les apurtenances en conte de Perte / e Koule / e Lunfanan / oue les apurtenances en conte de Aberdene . Davoir e atener totes les auantdites terres oue les apurtenances com avant est dist tote sa vie . Rendant a moi tot sa vie pur les avantdites terres / chescun an qatre vintz livres / a deus termes del an cest asavoir a la Feste Seint Johan le Baptiste aprest la facon de cest escrete / qarante livres / et al Nowel procheint suant qarante livres . E issint dan en an [*etc.*] A ices tesmoignes sire Echenbaud le Brun / sire Thomas Wale / sire Johan de Harecurt / cheualers . Johan de Walkingham / e Wauter Maunsel / e autres asetz . Donne a Westmoster le jour e lan avant nometz . . Nos autem convencionem donacionem et concessionem predictas / ratas habentes et gratas / eas pro nobis et heredibus nostris quantum in nobis est concedimus et confirmavimus sicut scriptum predictum rationabiliter testatur . In cujus rei [*etc.*] Teste Rege apud Langeleye primo die Novembris / per ipsum Regis nuncium Ottone de Grandisano /

Carta Roberti comitis de Fiffe et de Menteth terrarum et baronie de Coul et Onele in manibus Regis olim resignatarum in fauorem dicti comitis per Isabellam comitissam de Fiffe . <sup>1</sup> (A.D. 1389.)

Robertus Dei gracia Rex Scotorum . Omnibus probis hominibus tocus terre sue clericis et laicis Salutem . Sciatis nos dedisse / concessisse / et

<sup>1</sup> [From the authenticated extract in the charter chest at Fintray House. In a roll of missing charters by King Robert III., is "Carta to John Stewart, son to the Duke of Albany, of the barrony of Cowll and O'Neill in vicecomitatu de Aberdene." (Robertson's Index to the Charters, p. 145.) Charters granted by Robert Duke of Albany, Earl of Fyfe and Menteth, and Governor of Scotland, in the year 1406, are witnessed "Johanne Senescalli de Coule filio nostro carissimo scutifero." (Registrvm Magni Sigilli Regvm Scotorvm, pp. 217, 218, 227.) On the twentieth of September, 1406, the same Duke of Albany granted the earldom of Buchan "carissimo filio suo Joanni Senescalli domino de Onelle." (Lord Hailes' Additional Sutherland Case, ch. vi., p. 155; ch. iii., p. 40.) "I have seen a charter (penes Dominum Petrum Fraser de Dore baronettum,) granted by King James I., under the great seal, 'Johanni Fyfe de Essintuly' of the lands of 'Balbedy in baronia de Coule et vicecomitatu de Abirden,' dated the twelfth of November, the thirtieth year of his reign, which, computing from the death of his father, is precisely the year 1437." (Crawfurd's Lives of the Officers of State in Scotland, p. 25. Edinb. 1726)]

hac presenti carta nostra confirmasse / carissimo filio nostro Roberto comiti de Fiffe / et de Menteth . totam baroniam de Coul et Onele infra vicecomitatum de Abirdene . Que fuit Isabelle comitisse de Fiffe / et quam baroniam eadem Isabella non vi aut metu ducta nec errore lapsa / sed sua mera et spontanea voluntate in sua viduitate / nobis per fustem et baculum et per suas litteras resignationis sigillo suo sigillatas / apud Monasterium de Dunfermeling die confectionis presentium . coram pluribus nobilibus sursum reddidit pureque et simpliciter resignavit . ac totum jus et clammium que in dicta baronia de Coul et Onele habuit seu habere potuit / pro se et heredibus suis omnino quiete clamavit imperpetuum . Tenendam et habendam eidem filio nostro et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas et diuisas suas in unam integram et liberam baroniam / in boscis et planis / moris maresiis pratis pascuis et pasturis / viis semitis aquis stagnis molenadinis / multuris et eorum sequelis / aucupacionibus venacionibus / forestis et parcis / ac piscariis / bondis bondagiis natiuis et eorum sequelis / tenandriis et seruiciis libere tenentium / cum curiis et curiarum exitibus et eschetis / cum furca et fossa / sok et sak / thol et theme et infangandtheif ac outfangandtheif / cum aduocationibus ecclesiarum capellarum et hospitalium / et cum omnibus aliis et singulis libertatibus commoditatibus asiamentis ac justis pertinenciis quibuscunque . adeo libere et quiete . plenarie . integre et honorifice sicut dicta Isabella aut quondam Duncanus comes de Fiffe pater eiusdem Isabelle dictam baroniam liberius quiecuis plenius integrius et honorificencius aliquo tempore tenuit seu possedit / ante resignacionem huiusmodi nobis factam . Faciendo inde nobis et heredibus nostris dictus Robertus et heredes sui seruicia de dicta baronia debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabilibus in Xpo patribus Valtero et Matheo Sanctiandree et Glasguensis ecclesiarum Episcopis . Joanne primogenito nostro de Carrik senescallo Scocie / Archibaldo de Douglas domino Galvidie / Georgio Marchie comitibus . Jacobo de Douglas de Dalkeith fratre nostro / Jacobo de Lindsay nepote nostro / Thoma de Erskin / militibus . et Adam Forstar custode dicti sigilli nostri . Apud Dunfermeling duodecimo die Augusti anno gracie millesimo Tricentesimo Octuagesimo nono . et regni nostri Nonodecimo .

Extractum de Registro Cartarum et euidentialium Supremi Domini

Nostri Regis per me Dominum Joannem Skene de Curriehill militem clericum rotulorum registri ac consilii dominorum Supremi Domini Nostri Regis sub meis signo et subscriptione manualibus

Joannes Skene

clericus registri *etc.*

### THE PARISHES OF ABOYNE AND GLENTANER.<sup>1</sup>

DESCRIPTION OF THE PARISH OF ABOYN. A.D. M.DCC.XXV. BY MR. WILLIAM ROBERTSON.<sup>2</sup>



HE parish of Aboyne, in the sherifdome of Aberdeen, is bounded on the east, by the parish of Kincardine O'Neil; on the north-east, by the parish of Lumphanan; on the north, by the parish of Coul; on the west, by the parish of Coldstone and Loggy, and part of the parish of Tullich; on the south-west, by the parish of Glentanar; and on the south and south-east, by the parish of Birss.

The church is but a little edifice, and thatched with heather, without a bell, and situate about the middle of the parish, within a short mile eastward of the castle of Aboyn, the residence of the Earl of Aboyn; which is a goodly structure, and lyes pleasantly to the south, being fenced from the north by a hill planted with firs, now fully grown, which is a great ornament and advantage to the place.

Within an eighth part of a mile from that castle, southward, middle way 'twixt and the river Dee, lyes a litle town called Charlestown, so called after the first Charles Earl of Aboyn. It's a burgh of barrony, and has pretty good accommodation for passengers, there being a rode from Aberdeen to Breinar going through it, and another from south to north. There is in it a weekly mercat, every Thursday, by which the country is supplied with all necessarys. There are also two yearly fairs in it; the first, holden the last Tuesday of Aprile, called The Rood Fair; the next, the second Tuesday of October, standing three or four days, called Michael Fair, where there is a horse race, a man race, and woman race. Beside the said town is a milne, slated very beautifull, which goes upon the burn of Charlestown, and is passed at the milne by a timber bridge. The burn runs from north-west to south-east, and a little below Charlestown terminates

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 634, 635.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

in Dee, the spring of it flowing from Cromar. Charlestown is distant from Aberdeen, twenty-one miles; from Kincardine church, three miles; from Lumphanan, two long miles; from Coul church, one long mile; from Glentanar, three miles; from Birss church, two short miles, the river intervening.

There is, upon that rode which goes north-westward from Charlestown, at a miles distance, upon a hillside, a well called Mochryhalls Well; besides which is a stone, with the sign of the cross cut on it, which has frequently been removed some distance from the well, but was still found to be brought back in a short time.<sup>1</sup> The rode, near which it is, goes into Crowmar.

There is not any other gentleman's dwelling, worth naming, in the said parish: Only it's noticeable that the lands of Balnacraig, (of which Dr. Alexander Gordon, who lives at Balnacraig, but has no other than a country house, is heritor,) are separated from the rest of the parish by the river Dee, and seem rather to belong to Birss than Aboyn.

There are also two other villages, near the remotest skirts of the parish of Birss, belonging to the parish of Aboyn, most of the parish of Birss intervening.

There is a ferry boat on Dee, opposite to Charlestown; and, about a mile and a half above it, is another boat, called Waterside; and another, about three quarters of a mile above that, called The Boat of Miln of Dennity, which rather belongs to Tullich parish.

The parish, on the east, is divided from Kincardine by the burn of Desk, on which is the miln of Desk; and from Tullich, on the west, by another burn, called The Burn of Miln of Dennity, where is also a miln, which will be four long miles from milne of Desk.

<sup>1</sup> ["About a mile and a half north-west from the church, there is a stone, with a cross cut on it, standing near a well. This stone, when removed at some olden time, is said to have been miraculously brought back by Muchrieha, the guardian of the well. Near the cross formerly stood a stone, of considerable size, with a hollow rudely cut in it, called Muchrieha's Chair. This chair some masons, about thirty years ago, split into pieces, to assist in the building of the neighbouring farm-house.

"On a knoll, near Aboyne Castle, stands a sculptured stone, six-and-a-half feet high. This stone formerly stood on an eminence, on the bank of Loch Kinord, and was removed by the Earl of Aboyne from its original site to that which it now occupies, near a small Druidical circle. There is carved on it a cross, curiously and very laboriously cut." (The New Statistical Account of Scotland, number xlii., p. 1059. Edinb. 1843.)]

DESCRIPTION OF THE PARISH OF GLENTANAR. A.D. M.DCC.XIV. BY MR.  
WILLIAM ROBERTSON.<sup>1</sup>

THE parish of Glentinar, in the sherifedome of Aberdeen, lying on the south side of Dee, is bounded on the east by the parish of Birss; on the south, with the parish of Lochlee, in Glenesk, severall mountains interveening; on the west, by the parish of Glenmuick; on the north, by the parish of Tullich; and north-east, by the parish of Aboyn.

The church of Glentinar is a little house, thatcht with heather, without a bell, situate on a muir near Dee. Its reported to have had the name of The Black Chappel in the Muir, in our ancient chronicles.

The country is mountainous, not very fertile, the people living more by trafficking in timber, than husbandry. This timber they have from The Wood of Glentinar, which lyes on the south side of the said parish, and is the only ornament of the place. It is very large in extent, and ten or twelve miles in circumference, tho' not full in all places. The timber in this wood, which is all fir, grows to a great height and bigness; the whole country round about being served in fir timber out of it, to the considerable advantage of the Earl of Aboyn, who is heretour of it, as he is of all that parish. There is a small water, called The Water of Tanar, flowing from the wood, and running down through a corner of the parish, called The Glen; which, indeed, is the only pleasant place in the parish, being hedged in on both sides with hills and pleasant corn fields, with severall plats of birch wood. There are two milns within the said glen, served by the said water. There is also a very good inn, at the mouth of the wood, where the forrester lives, called Bordland.

A quarter of a mile above Bordland, lives a gentleman, by sirname Garden, a fewer of a town from the Earl, called Brelyne.

The said water of Tanar is, for ordinary, very impetuous; and, if any ways in speat, is not passable but at Bordland, where is an excellent timber bridge, in form of an arch. About a large half mile below the bridge, the said water terminates in Dee, at a village called Delquhiny. There is a rode passing thro' the wood, from north to south, thence through Glenesk, and so to Brechin, by far nearer than by the Cairn of Mount.

The church of Glentinar is distant from Aberdeen, twenty-four miles; from Kincardine, six miles; from Aboyn, three long miles; from Glenmuick, four miles; and three from Tullich, the nearest way; four, from Birss; and six or seven, from Lochlee.

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

Carta confirmacionis pro Johanne Senescalli domino de Buchane . de baronia de Obeyn . <sup>1</sup> (A.D. 1407.)

Robertus dux Albanie comes de Fife et de Mentethe . ac gubernator regni Scocie . Omnibus [etc.] . Salutem . Sciatis nos quandam cartam dilecti patris nostri . Willelmi de Keth militis Marescalli Scocie . et matris nostre Margarete Frasere sponse sue [etc.] intellexisse ad plenum in hec verba . . OMNIBUS hanc cartam visuris vel audituris . Willelmus de Kethe Marescallus Scocie et Margareta Frasere sponsa sua / salutem in Domino sempiternam . Noueritis nos vnanimi consensu et assensu nostro . habito super hoc diligenti consilio . eciam cum consensu et assensu proximorum nostre parentele . dedisse concessisse et hac presenti carta nostra confirmasse / carissimo nepoti nostro . Johanni Senescalli domino de Buchane . camerario Scocie . omnes et singulas terras baronie de Obeyn cum pertinenciis infra vicecomitatum de Abirdene . Tenendas et habendas [etc.] de domino nostro Rege / prefato Johanni et heredibus suis masculis de corpore suo legitime procreandis . . quibus forsan deficientibus . Andree Senescalli fratri suo germano et heredibus suis masculis de corpore suo legitime procreandis . . quibus forsan deficientibus . Roberto Senescalli fratri suo germano et heredibus suis masculis . de corpore suo legitime procreandis . quibus forsan deficientibus carissimo filio nostro Domino Roberto de Keth militi et heredibus suis masculis de corpore suo legitime procreatis seu procreandis . . quibus forsan deficientibus . ad nos et nostros veros et propinquiores heredes libere reuertendas . in feodo et hereditate pure et imperpetuum . [etc.] . Faciendo inde domino nostro Regi [etc.] seruicium inde debitum et consuetum [etc.] . In cuius rei testimonium presenti carte nostre sigilla nostra vnanimiter sunt appensa . apud Abirdene

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, p. 230.]

Among the Scottish records taken to England in the year 1296, by King Edward I., was "Charta de Obeyn." (Robertson's Index to the Charters, p. xxv.)

In a roll of missing charters of King Robert I. is "Carta Walteri Bisset, of the lands of Obeyn, in vicecomitatu de Aberdeen." (*Id.*, p. 2.)

In a roll of missing charters of King David II. are "Carta to Thomas Bisset, of the lands of Obeyn, in vicecomitatu de Aberdeen;"—"Carta to William Keith, Marishall of Scotland, and Walter Moygne, of the arrearage and annuells of Obeyn, in vicecomitatu de Aberdeen;"—"Carta to Rannald More, chalmerlan, of the lands of Formerteine, Akintor, Obeyn," etc. (*Id.*, pp. 49, 50, 53.)]

secundo die mensis Maij anno Domini . millesimo . cccc<sup>mo</sup> . Septimo . .  
 QUAM quidem cartam [etc.] ratificamus . et auctoritate officij nostri gubernacionis regni predicti nobis commissi imperpetuum confirmamus . Saluo domino nostro Regi et heredibus suis de dictis terris cum pertinenciis seruicio debito et consueto . In cuius rei testimonium . presenti carte nostre confirmationis . sigillum officij nostri apponi precepimus . Testibus reuere[n]do in Xpo patre Gilberto Episcopo Abirdonensi cancellario Scocie . carissimo nepote nostro Roberto Senescalli . filio heredis nostri Murdaci Senescalli de Kynclevyne militis . Johanne Senescalli de Lorne . Willemo de Graham de Kyncardyn / Georgio de Lesly consanguineis nostris . Ricardo Comyne militibus . Michaelae de Narne . Johanne Wrycht constabulario nostro de Falkland . scutiferis . et Andrea de Hawyc canonico Dunkeldensi secretario nostro . apud Falkland duodecimo die mensis Maij anno Domini millesimo cccc<sup>mo</sup> . Septimo . Et gubernacionis nostre anno Secundo .

#### THE PARISH OF LUNFANNAN.<sup>1</sup>

Carta Roberti de Camera de Balnecrag . <sup>2</sup> (A.D. 1357.)



**O**MNIBUS hanc cartam visuris vel audituris / Andreas de Garwyauch dominus de Caskyben salutem in Domino . Nouerit vniuersitas vestra me dedisse / concessisse / et hac presenti carta mea confirmasse . Roberto de Camera et Elene sponse sue amite mee . omnes terras meas de Beledy . Balnecrag . et Telanchsyne cum omnibus libertatibus consuetudinibus commoditatibus et asiamentis ac ceteris pertinentijs suis ad dictas terras spectantibus seu spectare valen-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 635; The Statistical Account of Scotland, vol. vi., pp. 382—389. Edinb. 1793; The New Statistical Account of Scotland, number xlii., pp. 1079—1095. Edinb. 1843.]

<sup>2</sup> [From a copy, in private hands. "A Memoir of some of Balnacraig's writes," compiled before the year 1770, and now in the custody of Patrick Chalmers of Auldbar, esquire, enumerates the three following deeds, as extant about the year 1737, in the possession of Roderick Chalmers, Ross Herald:

1. Charter by Sir Thomas Ranulph, earl of Murray, lord of Annandale and Man, to Sir James of Garwyaugh, knight, of the lands of Belody, Balnecrag, Cloychok, and Tolachsyn, with their pertinents, and half a merk out of the mill of Lunfannan, yearly; to be

tibus quocunque jure vel titulo . Ac eciam dimidiam marcam argenti annui redditus mei percipiendam de molendino de Lunfannan ad duos anni terminos / videlicet medietatem ad Festum Pentecostes / et aliam medietatem ad Festum Sancti Martini in hyeme . pro bono et fideli consilio et auxilio suo michi impenso et impendendo . Tenendas et habendas omnes predictas terras cum vniuersis pertinentijs suis et cum dimidia marca annui redditus supradicta / predictis Roberto et Elene ac eorum heredibus de corporibus suis legitime exeuntibus / de me et heredibus meis in feodo et hereditate . libere quiete plenarie honorifice bene et in pace absque retinemento quocunque . Faciendo inde forensicum seruicium domini nostri Regis / et vnam sectam ad curiam de Lunfannan proximam post Festum Sancti Michaelis pro toto anno . et reddendo inde michi et heredibus meis vnum par cyrothecarum albarum tantum apud maneriem de Caskyben singulis annis ad terminum Pentecostes nomine albe firme si petatur . Et si contingat prefatos Robertum et Elenam absque heredibus de eorum corporibus legitime exeuntibus in fata decedere / volo et concedo quod omnes predictae terre cum eorum pertinentijs vniuersis et cum dimidia marca annui redditus supradicta / ad heredes prefati Roberti absque contradictione mei vel heredum meorum libere reuertantur . Ego vero Andreas et heredes mei omnes predictas terras [*etc.*] predictis Roberto et Elene [*etc.*] in omnibus et per omnia [*etc.*] warrantizabimus acquietabimus et inperpetuum defendemus . In cuius rei testimonium presenti carte sigillum meum apposui . apud Abirdene . viij<sup>o</sup> . die Augusti anno Domini . m<sup>o</sup> . ccc<sup>o</sup> . Quinquagesimo Septimo . Hiis testibus . venerabilibus in Xpo patribus Alexandro Dei gracia Episcopo Abirdonensi . Andrea eadem gracia Priore de Monymusk . Willelmo de Keth marescallo

holden feu of the Earl: " datum sub sigillo regalitatis Moravie: Hiis testibus, Henrico Episcopo Abirdonensi; dominis Alexandro Fraser, Reginaldo de Cheyng, Roberto de Lawedir, militibus; Johanne filio Brunyng; Johanne de Durrisher, tunc cancellario et camerario regalitatis Moravie; et multis aliis." [A.D. 1324—A.D. 1329.]

2. Confirmation of the preceding charter, by Duncan earl of Fife, who therein designates the earl of Murray his tenant in the lands of Lunfannan. [A.D. 1324—A.D. 1332.]

3. Confirmation of the charter printed in the text, by Isabel Ranulph, daughter and heiress of John Ranulph, earl of Murray, lord of Annandale and Man; dated at Edinburgh, the twentieth of July, 1361; witnessed by William bishop of Saint Andrews; Patrick bishop of Brechin, chancellor of Scotland; Patrick earl of March; William Keith, marischal of Scotland; William Leith, burgess of Aberdeen, and others. " In this confirmation Robert Chalmers is designed ' de Kyntorr.' "



Scocie / Johanne de Kethe fratre suo / Jacobo de Montealto / Thoma Nory / Adam filio Angusij . et multis alijs .

Anent the terce of the landis of the Haltone of Lunfannane *etc.* <sup>1</sup> (A.D. 1480—A.D. 1489.)

The lordis of counsale [ . xij<sup>o</sup> . Julij . mccccxxx . ] decretis and deliueris that Elisabethe Stewart the spouse of vmquhile Schir William Charteris of Cagnore / sall brouke and joyse the terce and thrid of the landis of the Hawtounne of Lynphannane / pertening to hir be the decess of the said vmquhile Schir William hir spouse . and that James of Stratounne sall devoide and red the samyn to hir and hafe na entremetinge thairwithe in tyme tocum / And that he sall pay hir the malis deweteis and mertis of the said thrid of all termes sene the decesse of the said Schir William / And attoure that the said James Stratounne . Robert Ra / Johnne Meldrum and Donald Meldrum / sall restore and put in again Thomas Farquhare tennand to the said Elisabethe in the thrid pairt of the mylnne of Camquhile / and that the said Robert Ra sall pay hir sa mekle as scho may prufe before the schiref that the thrid pairt of the multer of the said mylnne was worthe sene Witsonday that last was / and that scho sall brouke and joyse the thrid of the said mylnne in tyme tocum / And that our Souuerain Lordis lettres be direct hereuppone .

The lordis of counsale [ . xij<sup>o</sup> . Julij . mccccxxx . ] decretis and deliueris that Elisabethe Stewart . the spouse of vmquhile Schir William Charteris of Cagnor . sall brouke and joyse / the terce and thrid of thir landis vndirwritin . that is to say . The thrid of the landis of Ballogy and the mylnne of the samyn . the landis of Cormore Petmurquhy and Westir Camquhyle / and that the personis eftir folowing sall devoid and red the said thriddis to hir incontinent . and pay and content hir / the malis thairof of the termes of Mertymes and Witsonday last past / That is to say / Patric Chepman / the thrid of the said landis of Ballogy and the mylnne of the samyn . William Strathachin / the landis of Cormore . Alexander Pettmvrquhy / the thrid of Petmurquhy . Johnne Trewnot / the thrid of Westir Camquhile . And ordanis that lettres be writin to the schiref to devoid and red the said landis .

<sup>1</sup> [From the *Acta Dominorum Concilii*, pp. 78, 88, 102, 103, *unpublished*. See also Nisbet's *Heraldry*, vol. ii., appendix, p. 140.]

and distrenye the said persounis for the said malis and mak the said Elisabethe be pait thair of /

In presens of the lordis [of counsale / xxj<sup>o</sup> . Octobris . mcccclxxxviii .] James of Montcref and Elspethe his spous summonde at the instance of Thomas Charteris of Cangnor to here a prentendit act and decrett gevin be the lordis of consale anent a terce of the landis of Kynfawnis / the Haltone of Lunfannane the Cragtoune Petmurchy and Cragour / to be retrettit / the saidis James and Elspethe grantit that thai haid nocht sic a decrett nor vsit nocht the terces of thai landis be na sic decrett bot be hir lauchfull tersing .

In the acciounne and caus [befor the lordis of counsale . xxx<sup>o</sup> . Januarij mcccclxxxix .] persewit be Thomas Charteris of Cangnour aganis James of Montcrefe and Elizabethhe his spous James Stratounne Alexander Burnat Alexander Petmarchy and Johnne the Rose that is to say / the said James of Montcref and Elizabethhe his spous ffor the wrangwis vptakin and withhaldin fra the said Thomas of the malez fermez proffitis and dewiteis of the thrid parte of the landis of Kynfawnis Haltounne Lunfannane Cragtounne Petmorchy and Crangnour of viij yeris bigane extendin yerely to viij merkis and thre chaldir of vitale quhet bere and mele be evin porcionis price of the chalder of quhete xij pundis / price of the chalder of bere x pundis / price of the chaldir of mele viij merkis . And the said James Stratounne Alexander Burnat Alexander Petmurchy and Johnne the Rose for the wrangwis occupaciounne and manurin of the saidis landis without tak or licence of the said Thomas as is allegiit . Baith the saidis partiis beand personaly present thare richtis ressonis and allegacionis at lenth sene harde and vndirstandin / The lordis of consale decrettis and deliueris that the said James and Elizabethhe hes done na wrang in the vptakin of the malez and dewiteis of the thrid of the half of the landis of Kynfawnis with the pertinentis liand in the schirefdome of Perth / nor in the vptakin of the thrid parte of the landis [of] Lunfannane liand in the schirefdome of Abirdene / as wes prefit be the deliuerance of ane assise of the said schirefdommez schewin and producit before the lordis . And becaus it wes allegiit be the said Thomas that he haid chartour and sesing of the saidis landis and cuthe nocht get the sammyn the tyme of the seruing of the said breuez And therefore ordanis the said Elizabethhe to rais new brevez on the said landis to be seruit betuix this and

Witsoneday nixt tocum and lik as sall be seruit than to be broikit in tyme tocum.

Decrett for Alexander Irwin of Drum aganis Thomas Roose of Auchinlossin . <sup>1</sup> (A.D. 1488.)

XXvi<sup>to</sup> . Julii . anno Domini . m . cccc . lxxxviii<sup>o</sup> . In the accioune persewit be Alexander Irwin of Drum agane Thomas Roose of Auchinlossin for the freithing and releving of the said Alexander Irwin at oure Souerane Lordis handis of the payment of the soume of fiftj pundis vsuale money of the realme as he that wes oblist therto to the said Alexander Irwin the tyme he wes schiref of Aberdene as wes allegeit . The said Thomas beand lauchfully and peremptorly summond oft tymmes callit and nocht comperit / the said Alexander beand present be his lauchfull procuratouris / The lordis auditouris of chakker decretis and deliueris that the said Thomas sall freith and releif the said Alexander at our Souerane Lordis handis of the payment of the said soume of fiftj pundis as he that wes bundin and oblist therto in the court of Cragoure / as wes sufficiently prefit before the saidis lordis . And ordanis our Souerane Lordis lettrez be direct to distrenye the said Thomas his landis and gudis herefore and for xx schillings to the expenss of the twa witnes that deponit in this mater .

Auchinhuive . <sup>2</sup> (A.D. 1634.)

In the action of reduction of the Earl of Marr's against his vassals, *alleged* by one Duguid of Auchinhove, that he and his predecessors had been infest in his lands, holding of the King, for the space of two hundred yeares, which lands were designed to ly in the sheriffdom of Aberdeen only, but not within the Earldom of Marr or Lordship of Garrioch. *Re-*

<sup>1</sup> [From the *Acta Dominorum Concilii*, pp. 85, 86.

" Hugh Rose obtained a charter of the barony of Kilravock from King John Baliol, anno 1293. His son, William, married Morella, daughter of Alexander de Downe; and had Hugh, who succeeding him, died about the year 1363; and Andrew, of whom came Rose of Achlossin in Mar." (Shaw's *History of the Province of Moray*, p. 119. Edinb. 1775. 4to.) See The New Statistical Account of Scotland, number xlii., pp. 1087, 1095.]

<sup>2</sup> [From Spottiswoode's *Practicks of the Law of Scotland*, p. 226. Edinb. 1706. fol. See The New Statistical Account of Scotland, number xlii., pp. 1087, 1088.]

*ply'd*, He offered to prove them parts and pendicles of the Earldom of Marr.  
Which reply the Lords sustain'd to be proven by public and authentick  
writs and evidents.

THE PARISHES OF MIGMAR (OR MIDMAR) AND KYNERNY.<sup>1</sup>

Carta Thome de Lundyn de ecclesia de Kynernyn .<sup>2</sup> (A.D. 1178—  
A.D. 1211.)



NIUERSIS sancte matris ecclesie filiis et fidelibus .  
Thomas de Lundyn . hostiarius domini Regis . Salu-  
tem . Sciant presentes et futuri me dedisse . et conces-  
sisse . et hac carta mea confirmasse . Deo et Sancto  
Thome Martiri de Abirbrothoc . et monachis ibidem  
Deo seruientibus et seruituris . ecclesiam de Kinernyn .  
cum omnibus justis pertinenciis suis . Tenendam in li-  
beram et puram et perpetuam elemosinam . ita libere et quiete . plenarie  
et honorifice . sicut aliquam ecclesiam in regno Scocie . liberius et quiecius  
et honorificencius . tenent de dono alicuius baronis . Hiis testibus . Wal-  
tero capellano domini Regis . domino Roberto de Londoniis . Willelmo  
de Bosco clerico domini Regis . Henrico filio Comitis David . Alexandro

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 635, 636.  
“ The principal remains of antiquity in this parish [of Migmar] are three Druidical fanes, of  
which one, near the new church, is remarkably large ; and an artificial mount, of considerable  
magnitude, which is now a part of the glebe. This mount is obviously a work of art. A  
ditch or trench, that is cast round it, is now covered with grass, from the bottom of which  
to the summit the perpendicular height is about thirty feet. The acclivity is gentle at the  
entrance, but steep in every other part. The middle part of the summit contains a cavity,  
with a small circular rising in its centre. Here tradition reports that criminals were tried,  
and justice administered. Mr William Meston, professor of philosophy in the Marischal  
College of Aberdeen, a man of considerable genius, was a native of the parish of Mid-  
mar. He was the author of a small collection of poems, of which a sixth edition was  
published at Edinburgh, in 1767.” (The Statistical Account of Scotland, vol. ii., pp. 519,  
525. Edinb. 1792.) John Ogilvie, D.D., author of “ Britannia,” of several other  
poems, and of some works in criticism and theology, was minister of the parish of Migmar,  
from the year 1759, to his death, in the year 1813.]

<sup>2</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

filio Willelmi filii Thorj · Ricardo filio Hugonis · David Marescallo · Johanne de Strivelyn · Ricardo Revel et multis aliis ·

Confirmacio Regis Willelmi de ecclesia de Kinernyn · <sup>1</sup> (A.D. 1178—A.D. 1214.)

· Willelmus · Dei gracia Rex Scottorum · Omnibus probis hominibus tocius terre sue clericis et laicis · Salutem · Sciant presentes et futuri me concessisse · et hac carta mea confirmasse · Deo · et Sancto Thome Martiri de Abbirbrothoc · et monachis ibidem Deo seruiantibus et seruituris · donacionem illam quam Thomas Hostiarius fecit eisdem · de ecclesia de Kinernyn · Tenendam in liberam et puram et perpetuam elemosinam · cum omnibus justis pertinentiis suis · ita libere · et quiete · plenarie et honorifice · sicut aliquam ecclesiam liberius et quiecuis · plenius et honorificentius · tenent et possident · et sicut carta predicti Thome testatur · Testibus · Roberto de Londoniis filio meo · Alexandro vicecomite meo de Clacmanan · Henrico filio Comitis David fratris mei · Ricardo de Camera · Hereberto de Camera · Adam filio eius · Ricardo Reuel · Apud Clacmanan · xxij<sup>o</sup> · die Marcij ·

Super dissensione inter Johannem Broune de Migmar · et Robertum de Vmfraville · <sup>2</sup> (A.D. 1368.)

In parlamento tento apud Scon · XII · Junii · M · CCC · LXVIII · die · IX · parlamenti · Cum mota fuit dissensio per verba inter Johannem Broun de

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv. See above, pp. 28, 29.]

<sup>2</sup> [From the Acts of the Parliaments of Scotland, vol. i., p. 148, *unpublished*. George Brown, consecrated Bishop of Dunkeld, in the year 1484, was "son to George Brown, treasurer of the burgh of Dundee, who was a younger son of the Browns of Mydmar, who flourished for some generations in the counties of Aberdeen and Forfar." (Bp. Keith's Catalogue of Scottish Bishops, p. 91., edit. 1824. 8vo.) "Georgius Browne, ecclesie Aberdonensis cancellarius, ac rector de Tynyngame, Dundee ortus, patre Georgio Browne burgi thesaurario, domini de Mydmar filio, Johanna Balbirny matre." (Mylne Vitae Episcoporum Dunkeldensium, p. 27. Edinb. 1831. 4to.) "The house of Midmar stands on an eminence, in a deep glen, surrounded by mountains and woods. Since the beginning of the present century, this estate has been the property of four heritors, and distinguished by three different names: it was originally Midmar, next Ballogie, then Grantsfield; and now it is Midmar again." (A General Description of the East Coast of Scotland, by Francis Douglas, pp. 254, 255. Paisley, 1782. 12mo.)

Migmar . et Robertum de Vmfraville . capta fuit securitas de mandato Regis sub pena quingentarum librarum ex parte vtralibet . quod alter ab altero erit indempnis publice et acculte / aliter quam per viam juris / Plegiis pro dicto Johanne / domino Comite de Marre . et domino Duncan Walays . Et pro dicto Roberto / domino Willelmo de Kethe .

Confirmacio Regis pro Alexandro de Strathechyn . <sup>1</sup> (A.D. 1380.)

Robertus Dei gracia Rex Scottorum / Omnibus [*etc.*] Sciatis nos . cartam . Alexandri de Lyndesay militis de mandato nostro . visam . [*etc.*] intellexisse ad plenum . sub hac forma . . OMNIBUS hanc cartam visuris vel audituris Alexander de Lyndesay . dominus de Glenesk . Salutem in Domino sempiternam . Sciatis me dedisse [*etc.*] . dilecto meo . et speciali Alexandro de Strathechyn . domino de Carmyly . pro homagio suo . et seruicio / omnes terras meas de Tulybrothlok Tulynahiltis et Balnadodyl cum omnibus pertinenciis iacentes in baronia de Onele . infra vicecomitatum de Abirden . in liberum maritagium cum Cristiana filia domini David de Annandia domini de Mylis . Quas quidem terras cum pertinenciis predictus dominus David . et Alexander filius eius [*etc.*] simpliciter reddiderunt [*etc.*] . Tenendas [*etc.*] predicto Alexandro et heredibus suis inter ipsum et dictam Cristianam vxorem suam procreatis seu procreandis . quibus forte deficientibus . predicto domino David heredibus suis quibuscunque / de me et heredibus meis [*etc.*] absque vlla secta curie cuiuscunque [*etc.*] . Reddendo [*etc.*] michi et heredibus meis seruicium dimedij architenentis in comuni excercitu domini nostri Regis et vnum par calcarium deauratorum ad Festum Pentecostes [*etc.*] . hijs testibus venerabili in Xpo patre domino Patricio Dei gracia episcopo . Brechinensi . domino Stephano de Cellario . archidiacono . Brechinensi . magistro Symone de Katnes . rectore ecclesie de Erole / domino Waltero de Ogylvy tunc temporis vicecomite de Angusia . David de Lyndesay filio meo et herede . Johanne de Lyndesay filio meo . Willelmo de Ochtirlovny . et multis alijs . In quorum omnium testimonium pre-

Arthur Rose or Ross, (son of Mr. Alexander Rose or Ross, of Easter Clune, parson of Birse, and chancellor of the diocese of Aberdeen), parson of Kynerny, and afterwards of Old Deer, was, in 1665, appointed parson of Glasgow; in 1675, consecrated Bishop of Argyll; in 1679, Bishop of Galloway; in the same year, Archbishop of Glasgow; and, in 1684, Archbishop of St. Andrews. He died on the thirteenth of June, 1704.]

<sup>1</sup> [From the original, in the charter chest at Corsindae.]

sentem cartam meam impressione sigilli mei roboravi apud Futhnevyn vltimo die mensis Augusti / videlicet die dedicacionis ecclesie eiusdem . Anno Domini millesimo tricentesimo Octogesimo . . QUAM quidem cartam [etc.] approbamus [etc.] . Saluo seruicio nostro . In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum Testibus venerabili in Xpo patribus Willelmo et Joh[anne cancellario] nostro . Sanctiandree . et Dunkeldensis ecclesiarum episcopis . Johanne primogenito nostro de Carric . senescallo Scocie . Roberto de Fyff et de Menetethe filio nostro dilecto . Willelmo de Douglas et de Mar consanguineo nostro / comitibus / Jacobo de Lyndesay . nepote nostro carissimo et Alexandro de Lyndesay consanguineo nostro / militibus / Apud Glempnes . vltimo die mensis Octobris / anno regni nostri decimo /

Carta facta per Dauidem Straquhin / Georgio Forbes . <sup>1</sup> (A.D. 1487.)

Omnibus [etc.] Dauid Strathachin dominus de Carmyle Salutem [etc.] Noueritis me [etc.] precise vendidisse [etc.] honorabili viro Georgio Forbes de Auchintoull totas et integras terras meas duarum partium de Auchoury cum suis pertinenciis jacentes in dominio de Tulibrolloch infra vicecomitatum de Abirden [etc.] Tenendas [etc.] de me et heredibus meis [etc.] Reddendo [etc.] vnum denarium [etc.] nomine albe firme [etc.] In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud burgum de Abirden vicesimo tercio die mensis Nouembris Anno Domini m<sup>mo</sup> cccc<sup>mo</sup> lxxxvij<sup>o</sup> Testibus honorabilibus viris Ricardo Gyllespy Dauid Forbes Dauid Leis et domino Roberto Leis notario publico cum multis aliis

Dauid Stretachyn de Carmyle manw propria

Carta Davidis Straquhyn facta Alexandro Skene . <sup>2</sup> (A.D. 1504.)

Jhesus . Omnibus [etc.] Dauid Strathachyn de Carmyle et dominus de Tulibrochlok salutem [etc.] Sciatis me [etc.] vendidisse [etc.] dilecto meo

<sup>1</sup> [From the original, in the charter chest at Corsindae.]

<sup>2</sup> [From the original, in the charter chest at Corsindae. Of the same date, precept of sasine was directed "Dauid Drummownde Johanni Skeyne Alexandro Strathachin Duncan Thomsone de Auchinhamper et Alexandro Mortymer de Cragywar." Sasine was taken "super solum dictarum terrarum," on the twenty-second of April, 1504,

Alexandro Skeyne de eodem et heredibus suis omnes et singulas terras meas de Tulibrochlok Tulynahiltis Balnadodil cum le Cymoriis Auchqwhory et molendino eiusdem cum pertinenciis jacentes infra vicecomitatum de Abirden [*etc.*] Tenendas [*etc.*] a me et heredibus meis et assignatis de nobili et potenti domino Johanne comite Crauffurdie et domino Lindesay domino superiori dictarum terrarum [*etc.*] Reddendo [*etc.*] dicto Johanni comiti Crauffurdie [*etc.*] seruicium dimedii architenentis in communi exercitu domini nostri Regis et vnum par calcarium deauratorum [*etc.*] In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud Dundee decimosexto die mensis Aprilis Anno Domini millesimo quingentesimo quarto coram hiis testibus Jacobo Scrymgeour burgensi de Dundee Joanne Scrymgeour eius filio Dauid Drummond Johanne Skeyne Johanne Myl Willelmo Erwene et domino Johanne Alesone notario publico

"presentibus ibidem honorabilibus et discretis viris Alexandro Mortymer de Cragywar David Thomsone Willelmo Fraser Rycardo Gilhespy Thoma Mortymer Willelmo Mertyne Willelmo Iruen et Mertino Cowtis." (Original writs at Corsindae.)

The charter of David Strathbaqwhyn was confirmed by "Johannes comes Crauffurdie et dominus le Lindsay," by charter dated "Apud Downe xvij<sup>o</sup> die mensis Aprilis anno Domini millesimo quingentesimo quarto Coram hiis testibus videlicet domino Alexandro Guthre de eodem milite Johanne Carnegy de Kynarde Jacobo Scrymgour burgense de Dundee Magistro Henrico Lyndsay domino Roberto Smaw Laurencio Cramownde Thoma Cramownde et domino Johanne Alesone notario publico." (Original at Corsindae.)

There is a charter of the same lands by "Alexander Comes Crauffurdie et dominus Lyndesay ac dominus omnium et singularum terrarum de Tulibroloch Tulynahiltis Balnadodil le Comores Auchorye Auchmor et molendinj eiusdem," "Alexandro Skeyne filio et heredi quondam Alexandri Skeyne de eodem," dated "Apud ciuitatem Brechinensem octauo die mensis Maij Anno Domini millesimo quingentesimo decimo quarto Coram hijs testibus Willelmo Scot de Balwery Alexandro Irwyn de Drwm David Lyndesay de Adyell militibus Johanne Charteris de Kynfawnys Alexandro Burnate de Leyis Henrico Quhite rectore de Fynnevin Patricio Butergask vicario de Cortoquhy Johanne Garyoch Waltero Frost magistris et Johanne Skeyne de Ouchtirane cum diuersis alijs." (Original at Corsindae.)

Of the same date, precept of sasine is directed "Alexandro Irwyn de Drwm militi Thome Fresar de Stanywod Johanni Charteris de Kynfawnys et Willelmo Mortymer." (Original at Corsindae.)



THE PARISH OF ECHT.<sup>1</sup>

Carta Thome filii Malcolmi de Lunden de ecclesia de Eych in Mar .  
(circa A.D. 1220.)



NIVERSIS sancte matris ecclesie filiis Thomas filius  
Malcolmi de Lunden hostiarius domini Regis salutem  
Noverit universitas vestra me dedisse et concessisse et hac  
mea carta confirmasse Deo et Sancte Marie et Sancto  
Michaeli et omnibus sanctis et abbati et conventui de  
Scona ecclesiam de Hachtis in Mar cum omnibus ad  
eam juste pertinentibus in liberam puram et perpetuam  
elemosinam pro salute anime mee et predecessorum meorum Quare volo

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 636, 637.]

“ As the subscription of the Covenant did portende the following revolutiones, so ther wanted not prodigies this yeare [1638], which, in ane inarticulat language, foretold the followinge warre and miseries. I shall not make mentione of all the visiones of armyes and things of this nature that wer noysed to have been seen and heard in diverse places; contenting my selfe with the relatione of thes as certaine, which, for the truthe, are above all exceptione and out of questione. Such thinges flowing from no naturall cause, cannot but be esteemed prodigiouse; amongst which one of the most remarkable was the beating or tucking of drumms frequently heard this winter, 1638, and in the end of the preceeding yeare, 1637, in the countye of Marre, in the north of Scotland, not fully twell myles westwards from Aberdeen. That countrye is hillye and mountainouse; and ther is a hill, distant but about a myle westward from the mannor place of Eycht: the hill beares the name of Duneycht, (or, to wrytte it truly, Dun Pict). Upon the topp of this swelling hill, (which is situate easterly and contigouse with the mountaines called The Hill of Faire, famousse for the defeate and slaughter of George Earle of Huntly, by James Earle of Murray, at Corrichy, hard by,) ther are to be seen old ruined walles and trenshes, which the people, by a receaved traditione, affirme to have been built at such tyme as the Pictes wer maisters of Marre. Upon the toppe of this said hill of Duneight, it was, that, for the space of all the winter, almost evry night, drumms wer hearde beatne about four a clocke, the parade or reteering of the gwardes, ther taptoes, ther reveilles, and marches, distinctly. And eare wittnesses, souldiours of credite, have told me that, when the parade was beating, they could discern when the drummer walked towards them, or when he turned about, as the fashion is for drummers, to walk too and again, upon the heade or front of a company drawne upp. At such tymes, also, they could distinguish the marches of severall

ut prenominati abbas et conventus prefatam ecclesiam teneant et possideant de me et heredibus meis ita libere quiete plenarie et honorifice sicut aliqua domus religionis in toto regno Scottorum aliquam ecclesiam de aliquo barone liberius quietius plenarius tenet et honorificentius Hiis testibus<sup>1</sup>

nationes; and the first marches that wer heard ther was the Scottish marche; afterward the Irish marche was hearde; then the English marche. But before thes noyses ceased, thes who had been trained up much of ther lyves abroade in the German warres, affirmed that they could perfectly, by their hearing, discerne the marches upon the drumme, of severall forraine nationes of Europe, such as Frensh, Dutch, Danes, etc. Thes drumms were so constantly heard, that all the countrey people next adjacent wer therwith accustomed; and sometymes thes drummers wer heard off that hill, in places two or three myle distant. Some people, in the night, travelling neer by the Loche of Skeene, within three myle of that hill, wer frighted with the lowde noyse of drummes, struck hard by them, which did convey them along the way, but saw nothing; as I had it oftne from such as heard these noyses, from the laird of Skeen and his lady, from the laird Eycht, etc., and my owne wyfe, then living ther in Skeene all that winter, almost immediatly after that the people thus terrifyed had come and told it with affrightment. Some gentlemen of knowne integritye and truth, affirmed that, neer thes places, they heard as perfect shott of cannon goe off as ever they heard at the Battell of Nordlingen, wher themselves, some yeares befor, had been present." (Gordon's History of Scots Affairs, from MDCXXXVII. to MDCXLI., vol. i., pp. 56—58. Aberd. 1841. 4to.) "A mile further on, I cross'd the skirt of a high round hill, called The Barmkin of Echt, on the summit of which are the remains of a Pictish camp; over which, if tradition may be believed, many armies were seen, many drums heard, and many an aerial bloodless battle fought, before the troubles in King Charles the First's time. On the south side of this hill are the ruins of the house of Echt." (Douglas' Description of the East Coast of Scotland, p. 254.) See, as to the remarkable structure of The Barmkin of Echt, Gordon's Itinerarium Septentrionale, p. 162. Lond. 1726. fol.; Archaeologia Scotica, vol. ii., p. 327, plates vii. and viii.; The Statistical Account of Scotland, vol. xiii., pp. 620, 621. Edinb. 1794; The New Statistical Account of Scotland, number xxxix., pp. 737, 738. Edinb. 1842.]

<sup>1</sup> [From the Liber Ecclesie Sancte Trinitatis de Scon, p. 58. Edinb. 1843. 4to. On the seventeenth of December, 1226, the same church ("ecclesia de Heyth cum pertinentiis suis") was confirmed to the same religious, by Pope Honorius III. (*Id.*, p. 67.)

In "The Rental of the Abbacie of Seowne, A.D. 1561," occurs "The Kirk of Echt, xxvj lib. xiiij sol. iiij d." (*Id.*, p. 216.)]

THE PARISH OF CLUNY.<sup>1</sup>

A GEOGRAPHICAL DESCRIPTION OF THE PARISH OF CLUNY. BY MR. JAFFRAY,  
SCHOOLMASTER OF . . . . . A.D. M.DCC.XXII.<sup>2</sup>



CLUNY<sup>3</sup> has to the north, the parish of Monymusk ; to the south, Kinnairny and Midmar parishes ; to the east, that of Kemnay, and part of Kinnairny ; and to the west, the parish of Touch.

Gentlemen's seats in it are :

Castle Fraser, one mile and a quarter east from Cluny.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 637.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>3</sup> [" The parish of Cluny consists of the old parish of that name, and of the half of the parish of Kinearny thereto annexed, by decreet of the court of teinds, in the year 1743 : the other half of Kinearny is annexed to Midmar, and the stipend and glebe thereof possessed by these two ministers respectively.

" There are three Druidical temples in the district, of the usual circular form and size, and three pillars, but without any inscription, one of them ten feet high and five feet broad above ground : it is supposed to be the place at which the vassals of the superior were obliged to assemble, in feudal times. " There are also two other pillars, one of them ten feet high, and the other eight, standing near one another, but without any inscription.

About three years ago, in repairing a road, on the top of a sandy eminence, were found two stone coffins, or rather chests, each consisting of four flat stones laid on their edges, with a large flat stone for a cover : in each was found a human skull and several human bones, together with an urn of coarse earth or clay and rude figures, with ashes in each, but different in shape from Roman urns.

" There is a well, called The Tipper Castle Well, generally resorted to some time ago, not for its medicinal virtues, but because of its having been consecrated ; rags, threads, and small oblations in money, were wont to be made at it, so late as the settlement of the present incumbent ; but all these for a considerable time have been effectually abolished.

" The large rivulet or burn of Cluny breeds pearls : some years ago, a Jew employed people to fish them, and a great many were got, some of them large and of a good water, which were carried to London to be disposed of.

<sup>a</sup> [By a charter dated at Aberdeen, on the eighth of July, 1468, Alexander Earl of Huntly, with consent of his son and heir apparent, George Lord of Gordon, grants to his son-in-law, William Lord of Forbes, the lands of Abergarden, in the barony of Obeyn ; the lands of Tullyfour and Tullkery, in the lordship of Tullich, in the barony of Cluny ; and the lands of Suthnahune, in the barony of Mgyrnar ; " faciendo tres sectas ad tria placita capitalia tenenda apud le graystane de Cluny." (Original in the charter room at Castle Forbes.)]

Cluny,<sup>1</sup> one mile south-west from Monymusk, and thirteen miles west from Aberdeen.

Tillycairn,<sup>2</sup> one mile west from Cluny, now ruinous.

Sauchen, half a mile south from Cluny.

The rectified highway, called The Skene Road, from Aberdeen, enters on the south-east side of the parish; and, passing by a village called Drumlachoy, crosses The Burn of Ton, at mill of Clunie, by a good bridge of two arches; thence west to the church, which is about a quarter of a mile west from the house of Clunie, and enters the parish of Monymusk about half a mile to the north-west of the church of Cluny; thence north-west, along betwixt the villages of Todlachy and Tillyfoure, in the parish of Monymusk, till it enters into the parishes of Touch and Keig.

The Burn of Ton rises in the west side of this parish, and runs in several windings east and northward to the mill of Clunie; a little below which, it turns east, and is mostly the boundary of the parish of Monymusk from those of Cluny and Kemnay, till it fall into the river Don, a little below the bridge, on the road from Aberdeen to Monymusk.

"There is a family in the district, of the name of Robertson, originally from Athol, who uninterruptedly have possessed one of the largest farms, from father to son, for a series of upwards of two hundred and thirty years. One of this family was the first protestant incumbent at Cluny after the reformation. An heritor of the district joined himself to the Camissars; and, having wrote down the reveries of these people, as they were uttered, denominated himself clerk to the Holy Ghost." (The Statistical Account of Scotland, vol. x., pp. 245—250. Edinb. 1794.)]

<sup>1</sup> [In a roll of missing charters of King Robert I. is "Carta to Alexander Fraser of Cluny, of the lands of Cardnye, with the fishing of the loch of Skeen, in vicecomitatu de Aberdein." (Robertson's Index to the Charters, p. 16; Crawford's Lives of the Officers of State, p. 274.)]

In a roll of missing charters of King David II. is "Carta to William Earl of Sutherland, and Margaret the King's sister, of the barony of Cluny, in vicecomitatu de Aberdein, with the advocacy of the kirk." (Robertson's Index to the Charters, p. 32; Miscellany of the Maitland Club, vol. i., p. 361; Sir Robert Gordon's Genealogical History of the Earldom of Sutherland, p. 51. Edinb. 1813. fol.)

"The castle of Cluny has still a double-barred iron gate, weighing thirty-two stones, with massy iron bolts, and the remains of a fosse once full of water. A large meadow of a hundred acres, great part of which was formerly overflowed, and being a marsh, was a defence to the castle, is now perfectly dry, and fit for tillage." (The Statistical Account of Scotland, vol. x., pp. 246, 249.)]

<sup>2</sup> ["Maister Mathow Lumisden of Tillicarne departitt the xxij day of June 1580 yeris." (MS. Register of Burials in the archives of the City of Aberdeen.) He was the author of "A Description of the Genealogie of the Houss of Forbes," printed at Inverness in the year 1819.]

THE PARISH OF BANCHORY SAINT TERNAN.<sup>1</sup>

A DESCRIPTION OF THE PARISH OF UPPER BANCHORY, IN THE MERNES.

BY WILLIAM FARQUHAR. (A.D. M.DCC.XXIV.)<sup>2</sup>

HE parish of Upper Banchory, or Banchory Trinity,<sup>3</sup> in The Mernes, hath, on the south-west, Strachen; on the south-east, Durres; on the west, Kincardin O'Neill; on the east, Drumaik; on the north, Eicht.

The church<sup>4</sup> stands in the village of Banchory, on the north side of the river Dee, (an inch straight opposit in the river,) six miles east of Kincairden, twelve miles west of Aberdeen.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 637—639.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>3</sup> ["The latter part of the name of this parish is that of its patron saint. Hence, one of two annual fairs, held near by, is called Saint Tarnan's Market; and a small fountain, not far distant, is called Saint Tarnan's Well." (The Statistical Account of Scotland, vol. vii., p. 369. Edinb. 1793.)]

<sup>4</sup> ["The minister here has the annual rent of a hundred pounds sterling, mortified for his behoof by Dr. Alexander Reid, whose father had been a minister here. The same Dr. Reid mortified a sum for a school for teaching Latin, English, writing, and arithmetic; and two thousand merks for the maintenance of the mistress of a woman's school." (The Statistical Account of Scotland, vol. vii., p. 373.) Alexander Reid, M.D., was born at Banchory St. Ternan, towards the end of the sixteenth century, and died at London, where he had practised medicine with great success, in the year 1640. He published some works in anatomy and surgery, which will be found enumerated in the late Professor Dugald Stewart's Biographical Memoirs of Dr. Adam Smith, Dr. William Robertson, and Dr. Thomas Reid, p. 527. Edinb. 1811. 4to.; and in The Book of Bon-Accord, pp. 313, 314. Aberd. 1839. 8vo. His father, James Reid, was the first minister of the parish of Banchory St. Ternan, after the reformation; his eldest brother, Robert, succeeded to that benefice; and another brother, Dr. Thomas Reid, was secretary in the Greek and Latin tongues to King James VI. The benefactions which Dr. Alexander Reid bestowed on the place of his birth are thus commemorated by a contemporary: "Ante omnia loco natali, ut par erat, gratificari satagens, ibi aperiendam curavit, sumptu haud modico, scholam illustrem et liberam, structuræ splendore, redituum copia, librorum suppellectile, et alumnorum numero insignem: qualem nullam in villis aut pagis nostrae patriae videbitis: imo quae fere, titulis omnibus commemoratis, scholas plerasque urbias non solum adaequet, sed et superet. Ptochodochium etiam ibi extruendum curavit, quod idoneis reditibus auxit, ut viris, pueris, hominibus omnium ordinum benefacere possit." (Andreae

Crathes<sup>1</sup> is one mile east of Banchory, and a quarter of a mile north of the river.

Reamore is two miles north of Banchory, and two miles north-west of Crathes. It has The Hill of Fair to the north.

Inchmarloch is one mile west-north-west of Banchory. Here is the wood of Glencomon, to the west, one mile long, and half a mile broad.

Tilliquihilly is on the south side of Dee, one mile distant from and opposit to Banchory. A moss, south therfrom three quarters of a mile, is called The Mulloch.

Two passage boats cross the river, a little above the village; the one below the water of Feuch, which falls into the river there, (a very little above Banchory, on the south side of the river Dee,) and the other immediatly above.

A little above the said infall of the river Feuch is the wood of Invery, closs on the river, about half a mile long and broad.

A mile north of Banchory are two lochs,<sup>2</sup> very near to each other. The

*Strachani Panegyricus Inavgvralis, quo Autores, Vindices, et Evergetae Illustris Vniversitatis Aberdonensis justis elogiis ornabantur, publice dictus in auditorio maximo Collegii Regii ejusdem vniversitatis, 7. Kal. Sextil. anno 1630. Huic adjecta est Coronis, laudes exhibens viri clarissimi D. Alexandri Rhaedi, doctoris medicinae excellentissimi, recentis benefactoris munificentissimi, p. 34. Aberdoniis, excudebat Edwardus Rabanus, anno Domini 1631.)* A tombstone in the churchyard of Banchory St. Ternan bears this inscription: "Re-erected at the public expence of the parish, 1776. 1730. Hic jacent reverendi magistri Jacobus Reid a familia de Pitfodels oriundus Banchoriensis ecclesiae pastor a reformatione primus, Robertus Reid dicti Jacobi filius, et Robertus Reid Roberti dicti nepos, uterque ecclesiae ejusdem pastores. Hic jacent magister Thomas Reid qui obiit in Ealre anno aetatis 76 et Joanna Burnet ejus conjux quae obiit anno aetatis 90. Necnon Thomas Reid quondam in Pittenkerie, qui hoc monumentum erigi curavit et obiit 31 Januarii 1733 aetatis suae 76. Et Agnes Fergussona ejus conjux quae obiit 21 die Decembris 1728 aetatis 70. Petrus Reid et Catherina Reid eorum filii." The grandson of Mr. Robert Reid, the second of that name, minister at Banchory St. Ternan, was Mr. Lewis Reid, minister of the neighbouring parish of Strachan, father of Dr. Thomas Reid, the well-known metaphysician. (Professor Dugald Stewart's Biographical Memoirs of Smith, Robertson, and Reid, pp. 400—402, 525—527.)

George Campbell, D.D., principal of The Marischal College from the year 1759 to the year 1795, the author of *The Philosophy of Rhetoric*, and of other well-known works, was minister of the parish of Banchory St. Ternan, from the year 1749 to the year 1757.]

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 25, 38—41, 638.]

<sup>2</sup> ["There is a loch called The Loch of Drum, between two and three miles in circuit, at the eastern extremity; and another, of the same dimensions, near the middle of

largest, which is to the east, and is about a mile round, has in it a rising ground, with the vestiges of an old house and garden. It produceth pykes, eells, and trouts. Out of the west end of this loch runs a burn, which falls into the river Dee, half a mile east of Banchory; and out of the east end runs another, which joyns with the former, about half a mile distant from the loch. The first of these burns is called The Burn of Beany; the other has no name, being but newly made, for draining of the said loch.

The other of these lochs, which is a little west from the biggest, is inclosed with a large firr and peat moss. Between the lochs are two ditches.

There is a burn which falls from the west end of The Hill of Fair, runs into the water of Dee, called The Burn of Canny, two miles west of Banchory. It has two milnes, one a little above where it joyns with Dee, the other half a mile distant from the former.

In festo Sancti Ternani episcopi et confessoris .<sup>1</sup>

Oracio .

Tua nos Domine protectione defende et intercessione Beati Ternani confessoris tui atque pontificis ab omni semper iniquitate custodi . Per Dominum .

Lectiones .

Beatus Ternanus de nobilibus Scotorum parentibus in prouincia que Myrnia dicitur extitit oriundusque . Beatus Palladius angelica reuelatione

the parish, called The Loch of Leys, having an artificial island, on oak piles, with ruins of houses upon it." (The Statistical Account of Scotland, vol. vii., p. 372.))

<sup>1</sup> [From the Breuiarium Aberdonense, prop. Sanctorum pro tempore estuali, die xij mensis Junii.

"Junii 12. S. Tarnane archbishop of the Pictes ordineit be S. Padie vnder King Eugenius 2. A.D. 455." (Adam King's Kalendar, 1588.)

"S. Tervanus, [i. Ternanus], S. Palladii Scotorum apostoli discipulus, S. Servani Orcadam apostoli collega, et Pictorum apostolus, quos, idolorum ea adhuc aetate cultui deditos, incredibili studio morumque sanctimonia ad veram religionem convertit. Joanni Leslaeo archiepiscopus est, lib. iv., pag. 137. Hect. Boeth. lib. vii. Histor. Scot. in fine. Hunc, etsi Martyrologii tabulis non ascriptum, nostrates religioso semper obsequio coluerunt; templumque Abernetheae cathedrale ei dicatum, ac multa alia in eo regno. Scripsit: 'Exhortationes ad Pictos, lib. i.; Contra Pelagianos, lib. i.; Homilias ex Sacra Scriptura, lib. i.' Claruit anno ccccxi. Obiit Abernetheae, quae Pictorum regia, ubi sacratissimis ejus reliquiis totius regni populus religiosa frequentatione venerabatur. Meminit et Anton. Posevin. Appar. Sac. pag. 268." (T. Dempsteri Historia Ecclesiastica Gentis Scotorum, t. ii., pp. 607, 608.)

"12 die Junii. Sanctus Ternanus episcopus et confessor, et post Ninianum sanctum

admonitus baptizauit et sufficienter instruxit . Audiens itaque puer sanctus magni Gregorij famam peciit Romam optans in omnibus verbo et ope eius

Pictorum australium veluti apostolus. Hic a Sancto Palladio cum quo annos integros in erudiendis Scotis peregrinatus, missus est ad Pictos in fide Catholica confirmandos, et ad Pelagij haeresim, quas quorundam Pictorum animis inhaeserat ob mutuum cum Britonibus commercium, euellendam. In quo opere adeo apostolice se gessit, vt Pictorum animos mirum in modum in Dei amorem inflammaret, sibiue deuinxerit, eumque summa reuerentia et honore instar apostoli postea coluerint. Fuit Ternanus sanctus instituto Culdaeus, et inter Culdaeos patres a tenella aetate in celebri Culrossano monasterio educatus. Vide de ipso Middendorpium, lib. 8. Academiæ; Leslaeum in Historia Scotica; Boetium; du Chesne, et alios." (D. Camerarii De Scotorum Fortitudine, pp. 156, 157. Parisiis, 1631. 4to.) See also G. Conaei De Duplici Statu Religionis apud Scotos, p. 24. Romae, 1628. 4to.

"S. Ternan is said to have been a Culdee, bred in Culross, and the companion of S. Palladius in his labours, by whom he was appointed to travel for the recovery of that nation from Pelagianism (Camerarius); so that, having at last succeeded that saint, he is by some styled Archbishop of the Picts. He was consecrated by S. Palladius, and flourished about the middle of the fifth century. (King's Calendar.) The collect for his day, used in the diocese of S. Andrews, is this: 'Deus qui Beatum Terrenanum Pictorum archiepiscopum tua providencia sublimasti ut Pictos in tenebris sue gentilitatis errantes ad verum tue diuinitatis lumen perduceret: tribue nobis quesumus ut ejus gloriosis precibus et meritis a presentis vite periculis et a gehenne incendijs liberemur.' (Missale de Arbuthnott.) And his hymn this:

'Almi patris Terrenani  
Attollamus Christiani  
Laudes et preconia .

Ipsam pie deprecemur  
In hac die veneremur  
Ejusque solennia .

Vas et lampas sanctitatis  
Pacis se per claritatis  
Diregebat federa .

Nostre matris ardens zelo  
Lucis fulgens nunc in celo  
Decorantur opera .

Presulatus hic honore  
Dei plebis et amore  
Fama creuit lucida .

'Sydus tale sibi datum  
Celum gaudet: fore natum  
Gaudet et Albania .

Carnem freno castitatis  
Vas ut esset puritatis  
Edomare studuit .

Inter Sanctos numerari  
Et in luce collocari  
Celesti promeruit .

Hic egenos releuauit  
Cibus / potu satiauit /  
Nudis vestem tribuit .

Prudens pius castus mitis /  
Palmas crescens vere vitis /  
Virtus ejus claruit .



subici disciplinis . Cuius propositum cum Beatus audisset Gregorius eum honorifice suscepit et post septennium ad episcopalem gradum promotum ad propria remisit ut euangelium incredulis predicaret . Quoddam tintinnabulum Beatus Gregorius sibi donauit quod sibi et sociis pro nimio pondere onerosum existens post se reliquit . Transacta vero sequenti nocte ubi fuerant hospitati ad caput Sancti Ternani diuinitus allatam campanam mane aspexerunt sicque virum sanctum de die in diem secuta est usque ad Albaniam . Vernali tempore Sanctus Macharius ad Beatum Ternanum misit ut de suis seminibus sibi mitteret . Qui non habens saccos arena perimplens sibi destinauit . Videns Macharius beati viri fidem pro naturali semine arenam seminauit que meritis sanctorum presulum messis optima crevit .

Carta de ecclesiis de Banchry et de Katteryn . <sup>1</sup> (A.D. 1178—A.D. 1203.)

Willelmus . Dei gracia Rex Scottorum . Omnibus probis hominibus tocius terre sue clericis et laicis . Salutem . Sciant presentes et futuri me dedisse . et concessisse . et hac carta mea confirmasse . Deo . et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruientibus . ecclesiam de Bencoryn . et ecclesiam de Katerin . cum omnibus ad predictas ecclesias juste pertinentibus . in terris et aquis . in pratis et pascuis . et omnimodis decimationibus . et cum omnibus justis pertinentiis predictarum ecclesiarum . Tenendas in liberam et puram et perpetuam elemosinam . ita libere . et quiete . plenarie . et honorifice . sicut alias elemosinas suas liberiori quociens plenius et honorificentius tenent . Testibus . Willelmo de Lindesai . Johanne de Londoniis . Rogero de Valoniis . Ricardo de Prebenda . Ricardo de Lincoln . clericis meis . apud Forfar .

‘ Deprecamur hunc patronum  
Ut ascendens Dei thronum  
Prece sua / meritis /

Nos qui culpa sumus rei  
Sorti jungat summe spei  
Saluet et ab inferis .

‘ Jesu Christe / tristi nece  
Nos Ternani pia prece  
Saluos duc ad gaudia :

Ut muniti sancta cruce  
Perfruamur tua luce  
Per eterna secula . ”

(MS. Account of Scottish Bishops (written about the year 1730) in the Library of the Earl of Erroll at Slaines.) See also Mr. Alban Butler's *Lives of the Saints*, vol. i., p. 777. edit. Dublin, 1836. 8vo.]

<sup>1</sup> [From the *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Bibl. Adv.]

**Carta Thome Ostiarii de nemore de Trostach . <sup>1</sup> (A.D. 1203—A.D. 1214.)**

Omnibus presentes litteras visuris vel audituris . Thomas de Lundin . ostiarius domini Regis Scocie . Salutem . Sciant presentes et futuri me caritatis intuitu dedisse et concessisse . et quietum clamasse . et hac carta mea confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruituris . totum nemus de Trostach . inter aquam de De et Kanyne . et per terminos illos . sicut aqua de Mereduneskyn descendit in Kanyne . et sicut eiusdem aque vallis ex alia parte descendit in Fornok . et etiam sicut riuulus ex orientali parte de Fornok descendit usque in De . Tenendum in liberam et puram et perpetuam elemosinam . ita libere . et quiete . et honorifice . sicut aliquam elemosinam in toto regno Scocie . liberius et quociens et honorificentius tenent et possident . Concessi etiam predictis monachis et hominibus eorum . in terris eorum de Benchoryn manentibus . communem pasturam in terra mea usque ad Loucherkark . cum animalibus suis . Et ipsi michi et heredibus meis communem pasturam cum hominibus suis de Benchoryn concesserunt extra forestum domini Regis . Testibus . domino Bricio Episcopo Morauienti . Waltero filio Sibaldi . Philippo de Malevill . Ranulpho de Stratheuchin . Waltero filio Walteri Sibald . Dunecano de Abirbuthnot . Alano de Walchope . et multis aliis .

**Confirmacio Regis de nemore de Trosthauch . <sup>1</sup> (A.D. 1211—A.D. 1214.)**

W . Dei gracia Rex Scottorum . Omnibus probis hominibus tocius terre sue . clericis et laicis . Salutem . Sciant presentes et futuri me concessisse . et hac carta mea confirmasse . Deo . et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruituris . totum nemus de Trostach . quod Thomas de Lundyn . ostiarius . eis dedit et quietum clamauit . per rectas diuisas contentas in carta eiusdem Thome inde facta predictis monachis . et communionem pasture quam idem Thomas prefatis monachis et eorum hominibus in terris eorum de Benchoryn manentibus concessit . in terra sua usque ad Loucherkar . Tenendum in liberam et puram et perpetuam elemosinam . ita libere . et quiete . et honorifice . sicut carta predicti Thome testatur . Saluo seruiicio meo . Testibus . W . de Bosco cancellario meo . Philippo de Va-

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

loniis camerario meo . Hugone de Sigillo clerico meo . P . de Mubray . Ricardo filio Hugonis . apud Strivelyn . xx<sup>o</sup> . die Maij .

Carta Alani Ostiarii de nemore de Trostach . <sup>1</sup> (A.D. 1233.)

Omnibus presentes literas visuris vel audituris . Alanus ostiarius domini Regis Scocie . comes Atholie . Salutem . Sciant presentes et futuri me concessisse . et quietum clamasse . et hac carta mea confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruituris . totum nemus de Trostach . quod habent ex dono patris mei . inter aquam de De et Kany . Tenendum in terris et aquis . et cum omnibus pertinentiis . in liberam et puram et perpetuam elemosinam . ita libere . et quiete . plenarie et honorifice . sicut aliquam elemosinam in toto regno Scocie . liberius . et quocius et honorificentius . tenent et possident . Concessi eciam predictis monachis . et eorum hominibus in terris eorum de Benchoryn manentibus . communem pasturam in terra mea usque ad Locherwhar . cum animalibus suis . Et ipsi michi et heredibus meis communem pasturam cum hominibus suis de Benchorin concesserunt extra forestum domini Regis . Preterea concessi eisdem monachis ut habeant predictum nemus in forestum . Hiis testibus . domino . W . de Bondington Glasguensi Episcopo domini Regis cancellario . domino . W . filio Alani Senescalli iusticiario Scocie . Johanne de Vallibus . David de Hastings . W . de Petyn . Philippo de Malevill . Normanno constabulario . Colyno Ostiario . Gregorio de Malevill . Galfrido de Bosco . et multis aliis .

Confirmacio Regis Alexandri de dicto nemore . <sup>1</sup> (A.D. 1233.)

Alexander Dei gracia Rex Scottorum . Omnibus probis hominibus tocius terre sue salutem . Sciant presentes et futuri nos ad petitionem et instantiam Alani Ostiarij . concessisse . et hac carta nostra confirmasse . Deo et Beato Thome Martiri de Abirbroth . et monachis ibidem Deo seruientibus . totum nemus suum de Trostach . quod Thomas Ostiarius . pater eiusdem Alani . dedit dictis monachis de Abirbroth . in liberum forestum in perpetuum . Quare firmiter prohibemus ne quis contra hanc concessionem nostram . sine dictorum monachorum licencia . in predicto nemore secet aut venetur . super nostram plenariam forisfacturam decem librarum .

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Testibus . W . Episcopo Glasguensis ecclesie . W . filio Alani Senescalli justiciario Scocie . Waltero Byset . Waltero de Petyn . Philippo de Malevill . David de Hastings . apud Kintor . xij<sup>o</sup> die Octobris . anno regni domini Regis nono decimo .

Taxacio iudicum delegatorum super uicariis in episcopatu Abirdonensi .<sup>1</sup>  
(A.D. 1250.)

Uniuersis sancte matris ecclesie filiis hoc scriptum visuris uel audituris . Cancellarius Morauiensis / Thesaurarius / et magister Johannes de Euerley canonicus Dunkeldensis / eternam in Domino salutem . Nouerit uniuersitas uestra nos mandatum domini Pape suscepisse in hec uerba . . INNOCENCIUS Episcopus seruus seruorum Dei . dilectis filijs . cancellario Morauienti . thesaurario . et magistro Johanni de Euerley canonico Dunkeldensi . Salutem et Apostolicam benedictionem . Presentata nobis dilectorum filiorum . de Kalkou . de Abirbrothoc . et de Lundors . abbatum . Sancti Andree diocesis . Sancti Benedicti . ac prioris cathedralis ecclesie . Sancti Augustini . ordinum . conuentuumque suorum . peticio continebat . Quod cum bone memorie Abirdonenses Episcopi . capituli sui accedente consensu . quasdam ecclesias Abirdonensis diocesis in quibus abbates prior et conuentus iidem jus optinent patronatus . in proprios vsus eorum sibi duxerint concedendas . Et quod per eosdem Episcopos taliter factum extitit in hac parte per Apostolicam sedem fuerit postmodum confirmatum . Venerabilis frater noster Abirdonensis Episcopus . Episcoporum illorum successor . pro sua nobis suggerens uoluntate quod nonnulli abbates priores alique prelati . tam religiosi quam eciam seculares . in ciuitate Abirdonensi et diocesi constituti . uicariis quarundam ecclesiarum . quas in proprios vsus tenent . imponentes nouas contra Lateranensis statuta concilij . terras et alias possessiones ad uicarias spectantes easdem ipsis subtrahunt uicariis in vsus proprios convertendo . quidam uero prelatorum ipsorum tantum de prouentibus ecclesiarum percipiunt earundem quod earum uicarii nequeunt de residuo commode sustentari . a nobis optinuit literas continentes vt super hiis auctoritate nostra statueret prout utilitati ecclesiarum ipsarum secundum Deum expedire videret . non obstantibus concessionibus quibuscunque et confirmationibus eciam a sede Apostolica impetratis . contradictores per censuram ecclesiasticam apella-

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

cione postposita compescendo . Cumque literarum ipsarum pretextu nitetur idem Episcopus ordinare / fines tenoris earum perperam excedendo / quod prefati abbates prior et conuentus de prouentibus dictarum ecclesiarum certam annuatim recipient porcionem . et omnes reliqui prouentus ipsarum assignarentur uicariis earundem . iamdicti abbates prior et conuentus se ac ecclesias seu monasteria sua per ordinationem huiusmodi sentientes indebite aggrauari . per appellacionis remedium nostram audientiam inuocarunt . cui dictus Episcopus detulit reuerenter sicut in ejus literis perspeximus contineri . Quocirca discrecioni uestre per Apostolica scripta mandamus . quatinus . facultatibus ipsarum ecclesiarum diligenter solliciteque pensatis . in eis prout discrecio uestra secundum Deum uiderit expedire . certas et determinatas curetis statuere uicarias . Et de prouentibus ecclesiarum illarum porcionem ipsis congruam assignantes . nominatos abbates priorem et conuentus postea . contra ordinationem uestram super hiis . nullatenus permittatis ab aliquibus indebite molestari . molestatores huiusmodi per censuram ecclesiasticam sublato appellacionis obstaculo compescendo . Non obstantibus aliquibus literis ueritati et justicie prejudicantibus per quas executio mandati presentis impediri ualeat / uel differri / et de quibus specialem oporteat fieri in presentibus mencionem . Quod si non omnes hiis exequendis poteritis interesse duo uestrum ea nichilominus exequantur . Datum Lugdunj . xij<sup>o</sup> Kalendas Maij . Pontificatus nostri anno septimo . . Huius igitur auctoritate mandati . abbate et conuentu de Abirbrothoc ordinis Sancti Benedicti . per procuratorem suum legitime constitutum . uicariis vero ecclesiarum quas habent in diocesi Abirtonensi quibusdam personaliter / quibusdam per procuratores legitime constitutos . coram nobis comparentibus . in ecclesia parochiali de Banchry Tarny . anno gracie . m<sup>o</sup> . cc<sup>o</sup> . l<sup>o</sup> . die Jouis proximo post Festum Sancti Petri ad Vincula . die precedenti continuata / facultatibus singularum ecclesiarum diligenter solliciteque pensatis . Deum habentes pre oculis . habitoque prudentum virorum et jurisperitorum consilio / certas et determinatas sentencialiter taxauimus uicarias in eisdem . et de prouentibus ipsarum per iuramenta singulorum uicariorum et aliorum fidedignorum uicariis singularum ecclesiarum congruas assignauimus porciones . uidelicet . Vicarie ecclesie de Banchry Tarny taxate sexdecim marcis / totum alteragium vnacum acra terre . et decimam garbarum eiusdem uille de terris tunc cultis . saluis singulis annis fabrice ecclesie de Abirbrothoc quadraginta denariis per manum uicarii percipiendis . decimis garbarum pre-

dicte uille postea colendarum / cum terris ad ecclesiam spectantibus et aliis decimis garbarum tocius parrochie / integre in perpetuum predictis abbati et conuentui de Abirbrothoc remanentibus . Vicarie ecclesie de Baneff taxate triginta marcis / alteragium ipsius ecclesie cum manso . et alteragium de Inuerbondy cum vna acra terre . tota decima piscarie tam albi piscis quam rubei . et terris spectantibus ad matricem ecclesiam et capellam / et decimis garbarum tocius parrochie remanentibus perpetuo abbati et conuentui supradictis . Vicarie ecclesie de Gameryn taxate decem et octo marcis / totum alteragium cum duabus acris terre ecclesie . et decima garbarum tocius parrochie remanentibus predictis abbati et conuentui . Vicarie ecclesie de Fyvyn taxate triginta tribus marcis / alteragium cum terra de Ardincross . reseruatis singulis annis quinque marcis in lana pacabili uel agnis . et decimis garbarum tam de Ardincros quam tocius parrochie predictis abbati et conuentui . Vicarie ecclesie de Buthelny taxate quindecim marcis / totum alteragium cum sex marcis in decimis garbarum in certis locis eiusdem parrochie annuatim percipiendis de terris tunc cultis / residuo decimarum garbarum ipsius parrochie integre remanente perpetuo predictis abbati et conuentui . Vicarie ecclesie de Taruays taxate triginta duabus marcis / alteragium cum vna acra terre . reseruatis octo marcis annuis percipiendis de decima lane uel agnorum uel vtraque / et decimis garbarum tocius parrochie cum terra ecclesie integre inperpetuum predictis abbati et conuentui . Vicarie ecclesie de Kynerny taxate decem marcis / totum alteragium cum manso et quinque marcis et dimidia in decimis garbarum in certis locis de terris ipsius parrochie tunc cultis . residuo decimarum garbarum tocius parrochie remanente integre in perpetuum predictis abbati et conuentui . Vicarie ecclesie de Cule taxate duodecim marcis / totum alteragium cum manso et quatuor marcis et dimidia in decimis garbarum in certis locis ipsius parrochie de terris tunc cultis . residuo decimarum garbarum tocius parrochie integre in perpetuum predictis abbati et conuentui remanente . Vicarie ecclesie de Forglynt taxate centum solidis / totum alteragium cum manso . . . . . in decimis garbarum de terris tunc cultis . residuo prouentuum qui postmodum excreuerint vltra centum solidos in vsus dictorum abbatum et conuentus remanente . Reseruata nobis in perpetuum potestate predictae sentencie molestatores per censuram ecclesiasticam compescendi . Et sciendum quod omnes predicti uicarij predictarum ecclesiarum omnia onera ordinaria sustinebunt . et de fabrica cancellorum ecclesiarum . et

Nomina villarum parrochie de Cule .  
Estertochres /  
Westertochres /  
Ochtircule /  
Galan / Davata  
de Cule .

de oneribus extraordinariis . pro porcione sua inperpetuum respondebunt .  
In cujus rei testimonium presens scriptum sigillorum nostrorum munimine  
duximus roborari .

Assedacio terrarum de Inuercany Willelmo de Medilton . <sup>1</sup> (A. D. 1411—  
A.D. 1438.)

Uniuersis sancte matris ecclesie filiis ad quorum noticias presentes  
littere peruenerint . Walterus permissione diuina abbas monasterii Beati  
Thome Martiris de Abirbroth / et ejusdem loci conuentus / salutem in  
omnium Saluatore . Nouerit uniuersitas vestra nos vnanimi consensu et  
assensu tocius capituli nostri / vtilitate monasterij nostri cum competenti  
deliberacione pensata / assedasse / et ad firmam dimisisse . Willelmo de  
Medilton . pro toto tempore vite sue . totas terras nostras de Inuercany .  
cum omnibus justis pertinenciis suis / vna cum molendino et decima  
illarum . Soluendo inde annuatim dictus Willelmus . prefatis dominis  
abbati et conuentui . quatuor libras vsualis monete regni Scocie ad  
duos anni terminos / videlicet / Festa Penthecostes et Sancti Martini  
in hieme / per equales porciones sine dilacione dolo vel fraude aliquali .  
Et eciam custodiet forestam nostram de Trostow . Et si contigerit dictum  
Willelmum custodia dicte foreste negligentem esse / vel in aliquo delin-  
quere / ad nostram correccionem sine strepitu judiciali se submittet et  
subibit . Et ipse eciam Willelmus ad curias et placita dicti domini ab-  
batis faciendo communem sectam apparebit . Et quociens vel quando  
premonitus fuerit laborabit honeste vt decet cum abbate vel ejus officiariis  
capiendo le bowch de curia / prout alii de consuetudine capiunt et re-  
cipiunt . Et eciam subibit omnia onera husbandorum debita et consueta .  
Preterea si dictus Willelmus in solucione firme et decime tardus fuerit /  
aut vile persoluens / aut nobis vel nostris officiariis quibuscunque nomine  
censeantur seu nostris husbandis rebellis injuriosus inobediens fuerit aut  
ineptus . licebit nobis vel successoribus nostris de eisdem terris cum per-  
tinenciis ordinare et disponere pro libito nostre voluntatis sine contra-  
diccione quacunque . Et eciam predictus Willelmus inueniet nobis et  
nostris / cum ad predictam terram venerimus / hospitalitatem honestam  
secundum facultatem suam cum vtensilibus domus cum pertinenciis . Nec  
licebit eidem Willelmo dictas terras vel aliquam partem earundem alicui

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

persone / cotariis tantum exceptis / arrendare concedere vel assedare quomodo sine nostra licencia speciali petita et obtenta . In cuius rei testimonium sigillum commune capituli . etc .

Preceptum sasine cujusdam crofte et domus jacentis in Banquhory / Jonete de Deray dande . <sup>1</sup> (A.D. 1472.)

Georgius permissione diuina abbas monasterij Sancti Thome Martiris de Abirbrothok / dilectis nostris Alexandro Burnat de Leys et Alexandro Fresar de le Durrys . et eorum alteri coniunctim et diuisim / balliuis nostris in hac parte salutem . Quia nobis clare constat quod quondam Johannes de Deray / pater Jonete de Deray latricis presencium / obiit vltimo vestitus et sasitus vt de feodo ad pacem et fidem supremi domini nostri Regis / de vna crofta cum domo super eadem situata cum pertinentiis in villa de Banquhory . infra vicecomitatum de Kyncardyne . et quod dicta Joneta est legitima et propinquior heres ejusdem quondam Johannis patris sui de dictis crofta et domo cum pertinentiis . et quod est legitime etatis / et de nobis tanquam abbate dicti monasterij tenetur in capite . Vobis precipimus et mandamus quatenus dicte Jonete / vel suo certo attornato latori presencium / sasinam dicte crofte et domus cum pertinentiis juste haberi faciatis et sine dilacione / saluo jure cujuslibet / et hoc nullo modo omittatis . Ad quod faciendum vobis et vestrum alteri coniunctim et diuisim nostram in hac parte committimus potestatem . Datum sub sigillo officij nostri apud monasterium nostrum predictum . vicesimo nono die mensis Julij . anno Domini millesimo quadringentesimo Septuagesimo Secundo .

Assedacio terre de Inuercanny . etc . Andree Smyth concessa . <sup>1</sup> (A.D. 1476.)

Uniuersis pateat per presentes nos Georgium permissione diuina abbatem monasterij Sancti Thome Martiris de Abirbrothoc cum consensu fratrum nostrorum / assedasse et ad firmam dimisisse . dilecto nostro Andree Smyth . totam villam nostram de Inuercanny cum molendino ejusdem / et dimedium ville nostre de Banchry / cum pertinentiis . pro termino quinque annorum plenarie et integre complendorum . Terminum vero introitus dicti Andree in dicta villa cum dicto molendino et dimedio

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]



ville de Banchry cum pertinenciis incipiente ad Festum Penthecostes datam presencium proxime et immediate sequente . Soluendo inde annuatim dictus Andreas pro dicta villa et molendino ejusdem cum dimedio ville de Banchry et pertinenciis ejusdem / sex marcas vsualis monete regni Scocie ad Festa Penthecostes et Sancti Martini in yeme . per equales porciones . cum rymart et wedder . et nouem pullos adultos cum custuma eorum / et fodir / et omnibus aliis et singulis oneribus husbandorum consuetis . Nec licebit dicto Andree dictam villam cum molendino ejusdem vel dimedium ville de Banchry cum pertinenciis / vel aliquam partem earundem / alicui persone arrendare assedare vel ad firmam dimittere sine nostra speciali licencia petita et obtenta / cotariis duntaxat exceptis . Preterea si dictus Andreas in solucione dicte summe et aliis consuetudinibus dicte ville et molendini cum dimedio ville de Banchry tarde fuerit aut male persoluerit / seu nobis officiarijs nostris rebellis injuriosus aut inobediens extiterit . licebit nobis et successoribus nostris ordinare et disponere pro libito nostre voluntatis / ista assedacione in aliquo non obstante . In cujus rei testimonium sigillum officij presentibus est affixum . apud Banchry . vicesimo quarto die mensis Augusti / anno Domini . M . cccc . Lxxvj<sup>to</sup> .

Assedacio garbarum decimalium ecclesie de Banchory Terny / Alexandro Burnat de Leyis concessa . <sup>1</sup> (A. D. 1482.)

Universis pateat per presentes nos Willelmum permissione diuina abbatem monasterij Sancti Thome Martiris de Abirbrothoc et ejusdem loci conuentum / vnanimi consensu et assensu capituli nostri / assedasse et ad firmam dimisisse dilecto nostro Alexandro Burnat de Leyis . omnes et singulas garbas decimales ecclesie nostre de Banchri Terny / cum pertinenciis / pro termino nouem annorum post datam presencium proxime et immediate sequencium / sine vltiori dilacione . Soluendo inde annuatim dictus Alexander pro dictis garbis decimalibus nobis et successoribus nostris / quinquaginta libras vsualis monete regni Scocie ad duos anni terminos . Festa / videlicet / Sancti Palladij et Sancti Michaelis per equales medias porciones sine vltiori dilacione fraude et dolo quibuscunque . Insuper si prefatus Alexander tardus fuerit aut negligens in solucione dicte summe quinquaginta librarum ad dictos ter-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

minos ut predicatur / vel infra quindenam memorata festa sequentem / licitum erit nobis et successoribus nostris de dictis garbis decimalibus pro nostre libito voluntatis / seu dictorum nostrorum successorum / libere disponere et prouidere / presenti assedacione in aliquo non obstante . In cuius rei testimonium sigillum commune capituli nostri presentibus est appensum . apud monasterium prefatum . xx<sup>o</sup> . quinto die mensis Aprilis . anno Domini . m<sup>o</sup> . cccc<sup>o</sup> . lxxx<sup>o</sup> . ij<sup>o</sup> .

Concessio campane Sancti Tarnani de Banchory vicario eiusdem .<sup>1</sup>  
(A.D. 1484.)

Nos Daud abbas monasterii de Abbirbrothok et eiusdem loci conuentus / vnanimi consensu et assensu capituli nostri capitulariter congregati / damus et matura deliberacione concedimus . dilecto familiari nostro / domino Alexandro Symson vicario de Banchory . omne ius et clameum iuris si quid habemus / siue habere poterimus / in et ad campanam Sancti Terrenani de Banchory . cum vniuersis et singulis oblacionibus / prouentibus / commoditatibus et emolimentis que exinde proueniri contigerint . Ita quod liceat dicto Domino Alexandro de eadem campana et exinde prouenientibus / sicut de singulis fructibus reliquis et oblacionibus dicte sue vicarie disponere . Et specialiter pro ornacione capitis dicti Sancti Terrenani patroni nostri eiusdem ecclesie . Et contradictores quoscunque coram quibuscunque iudicibus quacunque auctoritate fungentibus / citare / monere et secundum omnem iuris ordinem prosequi pro recuperacione et reduccionem dicte campane / ad vsus vtilitatem et reparacionem dicte ecclesie et vicarie sue de Banchory . Ad quod faciendum nostram eidem Domino Alexandro committimus potestatem in vberiori forma per presentes . Datum sub sigillo communi capituli nostri apud idem capitulum / vicesimo nono die mensis Decembris anno Domini . 1484 .

Ecclesie de Banquhory Terne presentatur dominus Andreas Symson presbyter Brechinensis diocesis .<sup>1</sup> (A.D. 1497.)

Reuerendo in Christo patri et domino / Domino Willelmo episcopo Aberdonensi . sui humiles et deuoti David abbas de Abirbrothoc et eiusdem loci conuentus / reuerencias cum honore . Ad vicariam per-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

petuam ecclesie parrochialis de Banquhory Terny vestre diocesis / cum vacare contigerit per simplicem resignacionem / seu in manibus vestris dimissionem / domini Alexandri Symsons nunc vicarij ejusdem . ad nostram presentacionem de jure spectantem . discretum virum dominum Andream Symsonem presbiterum Brechinensis diocesis / vestre paternitati reuerende presentamus . eandem exortantes quatenus dictum presentatum nostrum ad dictam vicariam / cum sic vacare contigerit / cum uniuersis iuribus suis / admittere et in eadem instituere et defendere velitis ex gracia speciali . Datum apud capitulum dicti nostri monasterij . secundo die mensis Aprilis / anno Domini millesimo . cccc<sup>mo</sup> . Nonagesimo Septimo .

Terre ville de Inuercanny cum molendino ejusdem et dimidia ville de Banquhory assedantur Alexandro Burnat et Agneti Lychtone .<sup>1</sup>  
(A.D. 1500.)

Universis pateat per presentes nos David permissione divina abbatem monasterij Sancti Thome Martiris de Abirbroth et ejusdem loci conventum / unanimi consensu et assensu capituli nostri capitulariter congregati / assedasse et ad firmam dimisiasse [*etc.*] . dilectis nostris Alexandro Burnat filio et apparenti heredi Alexandri Burnat filij et heredis domini de Leyis . et Agneti Lychtone sponse sue . suisque coadjutoribus et subtenentibus dummodo non sint majoris status quam predicti Alexander et Agnes . totas et integras terras nostras ville nostre de Inuercanny / cum molendino ejusdem . nec non et dimidiam partem ville nostre de Banquhory / cum cymba ejusdem . pro toto tempore vite dictorum Alexandri et Agnetis conjunctim et divisim . quibus ipse Andreas Smyt gaudebat temporibus retroactis . Termino vero introitus dictorum Alexandri et Agnetis in dictis terris [*etc.*] incipiente in Festo Penthecostes immediate post datam presencium sequente sine ulteriori dilacione quacunque . Solvendo inde annuatim dicti Alexander et Agnes eorumque diucius vivens suique coadjutores et subtenentes / nobis et successoribus nostris / pro firma ville predicte de Inuercanny et molendino ejusdem / tres libras sex solidos et octo denarios . et pro dimidia parte ville nostre de Banquhory cum cymba ejusdem / tredecim solidos et quatuor denarios / usualis monete regni Scocie . ad duos anni terminos Festa videlicet Pen-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

thecostes et Sancti Martini in hyeme proportionaliter / cum omnibus aliis oneribus husbandorum inde debitis et consuetis / nec non et rymart et weddir . Et si contingat predictos Alexandrum et Agnetem suos coadjutores et subtenentes injuriosos seu inobedientes esse aut male persolventes nobis et successoribus nostris / aut nostris husbandis rebelles licebit nobis et successoribus nostris de predictis terris cum molendino et cymba antedictis ordinare et disponere prout nobis videbitur expedire / ista assedacione non obstante in aliquo . Dando et concedendo prefatis Alexandro et Agneti / eorumque diucius viventi / nostram plenariam potestatem imponendi et removendi quoscunque suos coadjutores et subtenentes prout sibi placuerint seu placuerit . Et nos vero David abbas et conventus antedicti predictos Alexandrum et Agnetem suosque coadjutores et subtenentes varantizabimus ac fideliter / prout jura volunt / contra omnes mortales defendemus . In cujus rei testimonium sigillum commune capituli nostri presentibus est appensum / apud monasterium nostrum predictum . vicesimo septimo die mensis Julij . Anno Domini millesimo quingentesimo .

Ecclesia de Banquhory Terne in decimis assedatur Alexandro Burnat de Leyis et ejusdem assignatis . <sup>1</sup> (A.D. 1502.)

Universis pateat per presentes nos David permissione divina abbatem monasterij Sancti Thome Martiris de Abirbrothoc [*etc.*] assedasse et ad firmam dimisisse [*etc.*] dilecto nostro Alexandro Burnat de Leyis et ejusdem assignatis plurimis aut uni / dummodo per nos admittantur et quod non sint majoris status aut condicionis quam ipse Alexander . omnes et singulas garbas decimales ecclesie nostre de Banquhory Terne cum pertinentiis / pro terminis novemdecim annorum post datam presencium plenarie et integre complendorum . Termino vero introitus dicti Alexandri et ejusdem assignatorum ut premittitur / in percepcione et levacione dictarum garbarum decimalium / incipiente in Festo Sancti Petri quod dicitur Ad Vincula post datam presencium immediate sequente / sine ulteriore dilacione fraude et dolo quibuscunque . Solvendo inde annuatim predictus Alexander et sui assignati ut supra / nobis et successoribus nostris / infra monasterium nostrum predictum . octoginta marcas usualis monete regni Scocie ad duos anni terminos / Festa videlicet Translacionis Sancti Thome

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Martiris nostri patroni / et Nativitatis Sancte Marie Dei genetricis / per equales porciones [*etc.*] . Et si pronominatus Alexander et sui assignati plures aut unus defecerint seu defecerit in solucione predictæ summe ad terminum diem et locum prescriptum / licebit nobis et successoribus nostris de hujusmodi decimis garbalibus predictæ ecclesie cum pertinenciis ad nostre libitum voluntatis disponere / ista assedacione non obstante . Et dictus Alexander et sui assignati plures aut unus invenient et sustentabunt seu inveniet et sustentabit chorum antedictæ ecclesie de Banquhory Terny in edificiis tecturis calicibus / libris / casulis albis aliis necessariis / ac altare pavimento fenestris et in omnibus aliis necessariis ad predictam ecclesiam racione rectorie pertinentibus . Et si predicta ecclesia aut decime ejusdem sequestrentur in eorum defectu in solidum ipsi pro sequestratione earundem suis expensis respondebunt . Et nos vero David abbas et conventus predicti et successores nostri predictas decimas garbales cum pertinenciis sepedicto Alexandro et suis assignatis pluribus aut uni ut prelibatum est fideliter defendemus per presentes . In cujus rei testimonium sigillum commune capituli nostri presentibus est appensum / apud idem capitulum vicesimo septimo die mensis Maij / Anno Domini millesimo quingentesimo secundo .

Carta Willelmi Burnard filii Symonis Burnard de terris in Foresta de Drum .<sup>1</sup> (A.D. 1378.)

Robertus Dei gracia Rex Scottorum . Omnibus probis hominibus tocus terre sue clericis et laicis salutem . Sciatis nos dedisse / concessisse / et hac presenti carta nostra confirmasse . Willelmo Burnard filio Symonis Burnard . omnes et singulas terras cum pertinenciis in Foresta de Drum / infra vicecomitatum de Kyncardyn / que fuerunt dicti Symonis patris sui

<sup>1</sup> [From a copy in the Library of the Society of Antiquaries of Scotland.

In a roll of missing charters by King Robert I., are "Carta to Alexander Burnet, ane bounding infestment of the Forest of Drum, and others, in vicecomitatu de Kincairdin;" and "Carta to Alexander Burnet, of the barony of Tulliboyll, within the sherifdome of Kincardine." (Robertson's Index to the Charters, p. 17.)

On the twenty-seventh of February, 1837, there was exhibited to the Society of Antiquaries of Scotland, "an ancient hunting horn, preserved from time immemorial in the family of Burnet of Leys, and said to be the badge of the heritable office of Forester of the Forest of Drum, said to have been possessed by that family." (MS. Minutes of the Society.)]

et quas idem Symon non vi aut metu ductus nec errore lapsus sed mera et spontanea voluntate sua nobis per fustem et baculum sursum reddidit [etc.] . Tenendas et habendas eidem Willelmo et heredibus suis de nobis et heredibus nostris / in feodo et hereditate per omnes rectas metas et diuisas suas cum omnibus et singulis libertatibus [etc.] . Faciendo inde seruicium debitum et consuetum . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus / venerabilibus in Christo patribus Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeldensis ecclesiarum Episcopis . Johanne primogenito nostro de Carric senescallo Scocie . Roberto de Fife et de Menteith filio nostro dilecto . Willelmo de Douglas et de Marr consanguineo nostro / comitibus . Jacobo de Lyndesay nepote nostro carissimo et Alexandro de Lindesay consanguineo nostro / militibus . Apud Abirbrothoc vicesimo sexto die mensis Decembris anno regni nostri octauo .

Preceptum Regis pro sasina earundem terrarum<sup>1</sup> . (A.D. 1378.)

Robertus Dei gracia Rex Scotorum vicecomiti et balliuis suis de Kyncardyn salutem . Quia concessimus hereditarie Willelmo Burnard filio Symonis Burnard . omnes et singulas terras cum pertinenciis in Foresta de Drum infra balliam vestram / que fuerunt dicti Symonis patris sui et quas idem Symon [etc.] nobis [etc.] resignauit . Vobis mandamus et precipimus quatenus eidem Willelmo vel suo certo actornato latori presentium saisinam dictarum terrarum cum pertinenciis iuste fieri faciatis et sine dilacione / secundum tenorem carte nostre quam inde habet . Et hoc nullo modo ommitatis . Teste meipso . Apud Abirbrothoc . xxvj<sup>o</sup> . die Decembris / anno regni nostri Octauo .

<sup>1</sup> [From a copy in the Library of the Society of Antiquaries of Scotland.

On the fourth of July, 1494, there was an "actione and causs persewit befor the lordis of consale be Archibald erle of Anguss chancellare of Scotland aganis Alexander Cumyn of Culter for the wrangwis detencione and withthalding fra him of the landis of Arbady and Inchmerlache." (Acta Dominorum Concilii, p. 354.)]

THE PARISH OF STRACHAN.<sup>1</sup>

A DESCRIPTION OF THE PARISH OF STRACHAN, IN THE MERNS.

BY MR. FARQUHAR. A.D. M.DCC.XXIV.<sup>2</sup>

HE parish of Strachan, in The Merens, hath, on the south, the Grampian hills, above Fettercairn; on the west, Birsa, in Aberdeenshire; on the north, Trinity Banchory; on the east, Durres.

The church stands near the north-west syde of the parish, on the water of Feuch, two miles south-south-west of Banchory.

The house of Blackhall is closs on the north side of Dee, a mile and a half north-north-west of the church. Here is, at the east thereof, the wood of Blackhall, about three quarters of a mile long, and half a mile broad.

Cutties-hillock is a publick house, a mile and a half south-west of the church, and stands on a publick highway, which passes north over The Carne of Month,<sup>3</sup> above and below which are timber growing. On which road, and in

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 651, 652.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>3</sup> [" November 9, A.D. 1729. Mr William Brown tells me the following accompt he had, when last in Perth, from Mr James Mercer, minister at Aberdalgie, as what was generally believed as to Dr Rule, principal [of the College] at Edinburgh [from A.D. 1690 to A.D. 1703]; and the thing was so notour that it could not miss to be observed. The Doctor hapned to be going to the north, to some church meeting, and road with a servant; came to knouen Carnie Mount, that lyes in the high and nearest road. Before the Doctor gote to the foot of The Mount, it was turning dark, and the night drauing on him. Ther is a change-house at the foot of The Carnie Mount, wher he expected lodging. When he came there, the landlord told him ther was not a bitt of room for him in the house; that the shirrefe of the shire, and a good number of the gentlemen about, wer to lodge with him, and he expected neither he nor any of the family could have a bed that night. The Doctor told him hou unwilling he was to venture throu The Mount so late, and asked the landlord if he kneu of no remedy for him; that he would be glad of any place where he could be free of the open air, and his horses have meet. The landlord said, he could find room for his horses, and they should be weel enough: for himself, he kneu no place for him, unless he pleased to lye in yonder large house, about a quarter or half a mile distance, and he should take care to send over bed-cloaths, and a fire and candles: only, he told him, it had not been inhabited for thirty years, and it was said to be haunted with an apparition.

said parish, are the bridge of Feuch, on the water of that name, two miles west of the church ; and the stone bridge of Dye, on the water of Dye, of one arch, where is a publick house also of that name, three miles south-west of the

The Doctor said, if no better might be, he would rather chuse that than to stay in the open air. His servant, however, would not go.

“ The landlord was as good as his word ; sent over his servants with bed-cloaths, fire, and candles ; and the Doctor went over. The house was a good house, and the rooms good. After his room was ordered, and every thing well, he was left alone in it. He walked some time in the room, and committed himself to God's protection, and went to bed. Ther was two candles he left on the table, and these he put out. Ther was a large bright fire remaining. He had not been long in bed till the room dore is opened, and an apparition, in shape of a country tradesman, came in, and opened the curtains, without speaking a word. Mr Rule was resolved to do nothing till it should speak or attack him, but lay still with full composure, committing himself to the divine protection and conduct. The apparition went to the table, lighted the two candles, brought them to the bédside, and made some steps toward the dore, looking still to the bed, as if he would have had Mr Rule rising and following. Mr Rule still lay still till he should see his way further cleared. Then the apparition, who the whole time spoke none, took an effectuall way to raise the Doctor. He caryed back the candles to the table, and went to the fire, and, with the tongs, took down the kindled coals, and laid them on the deal chamber floor. The Doctor, then, thought it time to rise, and put on his cloaths ; in the time of which the spectre laid up the coals again in the chimney, and, going to the table, lifted the candles, and went to the dore, opened it, still looking to the Principal, as he would have him following the candles ; which he nou, thinking there was somewhat extraordinary in the case, after looking to God for direction, inclined to do. The apparition went doun some steps with the candles, and caryed them in to a long trance, at the end of which ther was a stair, which carryed down to a lou room. This the specter went down, and stooped and set doun the lights on the louest step of the stair, and streight disappeared. Mr Rule, after a litle waiting to see if any further should cast up, lifted the candles, went up, the way he came, to his room, and went to his bed again, wher he was no more disturbed.

“ Revolving in his thoughts what had passed, the Doctor began to think there was murder in the case. In the morning, the landlord came over to see hou his guest was, and hou he had rested. The Principal told him he was very weel, and asked him if the shirriff was still with him. The other answered he was. The Principal desired him to give his service to him, and to tell him who he was, a minister and Principal at Edinburgh, and tell him he would willingly see him in the house wher he was ; but if that wer uneasy, he could come to him, because he had somewhat of weight to communicat. The shirriff came over, and Mr Rule told him what had hapsed, just as above, and that he was much of the mind ther was murder in the case. The shirrif said it might be so, but it was certainly long since, for it was upwards of twenty, near thirty, years since that hous was uninhabited. The other begged the shirriff to cause lift the stone and open the earth where the candles wer left by the spectre ; and he yielded. When the ground was opened, the plain remains of a human body wer found, and bones, to the conviction of all.



church. The bridge of Dye is from Cuttie's-hillock one mile and a half south. The water is also of that name, and falls from the mountains westward, running in a glen<sup>1</sup> about five miles, till it falls into Feuch, a quarter of a mile west of the church.

Dr Rule next intreated the shirrife that he would send orders to the country people, especially such above thirty or forty, to come to the place, and he would give them a sermon, and see if any hint could be had of the murder. The shirriff was not for this, and insisted that the murder was certainly so old that nobody now could probably give any accompt of it. The Doctor insisted ther was no hazard of their meeting for a sermon, and we did not knou what providence might discover. The shirriff condescended, and that day warning was sent for some miles about. The people convened; the Doctor preached upon some subject suitable to the occasion, and told what had hapned, and earnestly dealt with the consciences of his hearers, if they kneu any thing of that murder to acknowledge it, nou that God, in his providence, had brought it to light. In the time of his sermon, an old man, near eighty years, was awakned, and fell a weeping, and, before all the company, aknouledged that, at the building of that house, he was the murderer. He and one of his fellow masons fell into a debate, and came to high words, on a summer morning, when the rest of the workmen wer not come up to their work; and he killed the man with one stroak of a hammer, and buried him under the first step of the stair; and the matter was never knouen. My informer knoues no more of what followed, whither the murderer was punished, and, as is probable, dyed penitent." (*Analecta: or Materials for a History of Remarkable Providences, mostly relating to Scotch Ministers and Christians. By the Rev. Robert Wodrow, minister of the gospel at Eastwood, vol. iv., pp. 87—90. Printed for the Maitland Club. 1843. 4to.*)

"Though there is a good road over The Cairn o' Mount, it is in some places very steep. Though I apprehended no danger from robbers in crossing the mountain, I recollected a circumstance which happened to an Aberdeen gentleman about thirty years ago. About the middle of The Mount he overtook a single foot passenger, and was very glad to keep company with him, as he dreaded falling in with a set of vagrants, who had long infested the country, called Gun's crew, then said to be in that corner. The gentleman asked his fellow-traveller what he heard of these people. 'They have been seen in this country very lately,' said he, 'but I hope we shall meet with no trouble.' A little before they reached the foot of the hill, the stranger turned off at a cross road, and, to the gentleman's great surprise, took leave of him, in words to this effect: 'You are now, sir, out of danger of John Gun's crew, but, though you had met with them, you would have sustained no damage while under my protection, for I am the very man of whom you were afraid.' The poor man was apprehended some years after, and tried for his life, at Aberdeen, by the lords of justiciary, when this story was deposed to, in exculpation of his character. He was condemned to die, but, on application to his Majesty, the sentence was commuted into banishment." (*F. Douglas' General Description of the East Coast of Scotland, pp. 273, 274.*) See Sir Walter Scott's *Lady of the Lake*, cant. v., stanzas viii—xi., and note.]

<sup>1</sup> ["Glendy Spaw rises at a very small Distance from the famous Kairn on the Top

There is another bridge on Spittelburn, on the said highway, one mile south-west of the church. The bridge of Spittleburn is, from bridge of Dye, one mile south.

There is another bridge on Feuch, called of Feuch or Whitestain, one mile west of the church; one end whereof stands in Aberdeenshire, and the other in that of The Mearns.

The burn of Camie, in parish of Strachan, runs from the hills, north-north-west, and falls into the south-east side of Feuch, a little below the church, with a stone bridge of one arch, a little before the infall into Feuch.

There stands a great high hill, with a big stone on the top thereof, called Clach-na-bane, four miles south-west of the church, and on the north syde of the water of Dye, about a mile therfrom. From the foot of the said hill, runs another water, north-north-east, till it falls into Feuch, a quarter of a mile above the bridge of Feuch, called the water of Auen; from which it is thought the parish had first its name.

The house of Gellan is one mile south-east of the church, with some timber about it, and on the north syde of Feuch, half a mile distant therfrom.

*Carta Waldeui de Stratheiha de terra de Blaregeroge .<sup>1</sup> (circa A.D. 1200.)*

Omnibus sancte matris ecclesie filiis presens scriptum visuris uel audituris Waldeuus de Stratheiha eternam in Domino salutem . Noueritis me ex consensu Ranulfi heredis mei dedisse . et concessisse . et hac carta mea confirmasse Deo et ecclesie Beati Andree apostoli in Scocia et canonicis ibidem Deo seruientibus et seruituris in puram et perpetuam elemosinam pro salute anime mee et pro animabus patris mei et fratris et antecessorum et successorum meorum . totam terram de Blarkerocche extra siluam per rectas diuisas suas cum communi pastura inter Feyhan et

of the Grampion Hills, in a Bog, with Moss round about, and no Rock near it: It mounts up in Bubbles, as if boiling, through the Moss, which is loaded with Ochre. The Virtues of the Waters are very considerable; they may be drank with little or no previous Preparation, and are very serviceable in removing gravelly Complaints, in most Scurvies and cutaneous Distempers; but are particularly beneficial in nervous Cases, and in a general bad Habit of Body." (Dr. John Campbell's Political Survey of Britain, vol. i., p. 111. Lond. 1774. 4to, citing Medical Essays and Observations, vol. ii., p. 45. Edinb. 1747. 12mo.)]

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree in Scotia, pp. 276, 277. See the Registrum de Dunfermelyn, pp. 36, 52, 53, 90, 116. Edinb. 1842. 4to.]

De ad sexaginta porcos et ad sexaginta uaccas cum fetibus suis donec trium fuerint annorum et ad uiginti equas cum sequela sua donec quatuor fuerint annorum cum equicio meo uel heredum meorum . et si equicium non habuerimus / liceat eis nichilominus viginti equas cum sequela sua ut dictum est in pastura habere . ubicumque equicium meum uel heredum meorum ire consueuerit . Concedo eciam eis mairebium in silua mea de Goauch ad fabricam ecclesie sue et ad nouam aulam suam edificandam . et communem uenacionem in tota terra mea tam in plano quam in bosco per homines suos cum canibus uel quocumque alio modo . Tenendam et habendam sibi imperpetuum in puram et perpetuam elemosinam . libere quiete . plenarie . et honorifice . sine omni exactione et seruicio intrinseco et forinseco et consuetudine et demanda . Excepto . quod si capitalia placita ibidem emeruerint in curia domini Prioris in eadem terra placitabuntur . et si debeat iusticia fieri in curia mea et heredum meorum fiet / saluo dictis Priori et conuentui emolumento si quod de placito illo contigerit . Ego autem et heredes mei predictam elemosinam meam cum omnibus pertinenciis suis predictis Priori et conuentui contra omnes homines warantizabimus . Et sciendum quod ad petitionem et ad instanciam meam concessum est michi a Priore et conuentu Sancti Andree debitum unius canonici in obitu meo et ut corpus meum deferatur ad sepeliendum in cimiterio suo inter fratres suos . Et ut predicta omnia rata et futuris temporibus inconcussa permaneant / presenti scripto sigillum meum apposui . Testibus . magistro Laurencio archidiacono Sancti Andree . domino Malcolmo archidiacono Abirdenensi . domino Philippo de Maleuille . domino Gregorio de Maleuille . domino Ricardo de Karnebehyn . Simone et Laurencio prepositis Sancti Andree . Germano filio Leving . et Alexandro burgensibus . magistro Henrico de Norham . Ranulfo filio Waldeui et multis aliis .

Confirmacio carte Ade Pingle<sup>1</sup> . . (A.D. 1362.)

Dauid Dei gracia Rex Scottorum omnibus *etc* . Sciatis nos approbasse *etc* . donaciones illas et concessionones quas Willelmus de Kethe Marescal-

<sup>1</sup> [From the Registrvm Magni Sigilli Regvm Scottorvm, p. 25.

Sir William of Keith, mariachal of Scotland, with consent of Margaret his wife, granted the lands of Mathers to Alexander of Berkley, by a charter dated "apud mansum capitale nostrum de Strathekin," on the Feast of the Invention of the Holy Rood, (the third of May,) in the year 1351. (Nisbet's System of Heraldry, vol. ii., appendix, p. 238.)]

lus noster Scocie ac Andreas de Garvyache fecerunt dillecto et fideli nostro Ade Pyngle de terris de Knoc et de Gelestan / videlicet / datis per dictum Willelmum in baronia de Strathechyn infra vicecomitatum de Kyncardon . et de terris de Badcasse in tenemento de Kynbeone in baronia de Rothynormam infra vicecomitatum de Abirdene / videlicet / datis per dictum Andream . Tenendas et habendas eidem Ade et heredibus suis in feodo et hereditate / adeo libere [*etc.*] sicut carte siue littere predicti Willelmi et Andree inde sibi facte in se plenius iuste continent et proportant . Saluo seruicio nostro . In cuius rei *etc.* Apud Abirdene . xv<sup>o</sup> . die Januarij . anno regnj nostri Tricesimo tercio . .

Confirmacio carte Ade Pyngle et Mariorie sponse sue <sup>1</sup> . (A.D. 1365.)

Dauid Dei gracia . . Rex . . Scottorum / omnibus *etc.* . Sciatis nos quamdam cartam . Willelmj de Kethe Marescallj nostri Scocie . et Margarete sponse sue . non rasam *etc.* . vidisse *etc.* . tenorem qui sequitur continentem . . OMNIBUS hanc cartam visuris vel auditoris . Willelmus de Kethe Marescallus Scocie et Margareta sponsa mea . neptis et heres bone memorie quondam Domini Alexandri Fraser militis . domini baronie de Strathekyn salutem in Domino sempiternam / Cum pleno concepimus intellectu quod dictus quondam Alexander auus noster / infeodauerit hereditarie quondam Willelmum dictum Ingeramisman pro homagio et seruicio suo de terris dauate del Knoc et de Gelachbane cum pertinenciis infra baroniam predictam . Noueritis nos bonum et fidele seruicium dilecti nostri Ade Pyngle considerantes . dedisse . concessisse . et hac presenti carta nostra confirmasse eidem Ade pro homagio et seruicio suo nobis inpenso et inpendendo et Mariorie sponse sue filie et heredi dicti quondam Willelmj ac eorum alteri diucius viuenti / omnes illas terras prenominate cum pertinenciis / vna cum molendino de Camby eisdem terris adiacente cumcroftis et multuris ac ceteris antiquis et vsitatis libertatibus suis quibuscunque . Tenendas et habendas predictis Ade et Mariorie vt predicatur ac eorum heredibus de corporibus suis legitime exeuntibus / quibus fortassis deficientibus / heredibus predicti

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, pp. 42, 43.]

In a roll of missing charters by King Robert I., are "Carta Alexandri Fraser, of the lands of Strathean, de Essuly, Ballebrochy, and Auchincross"; and "Carta Alexandri Fraser, of the lands of Culpressache, in vicecomitatu de Kincardin." (Robertson's Index to the Charters, p. 1; Crawford's Lives of the Officers of State, p. 274.)]

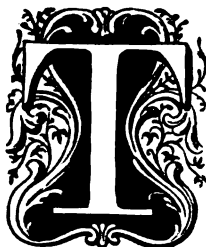
Ade . de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas suas et diuisas antiquas in boscis planis moris marresiis aquis stagnis pascuis et pasturis cum piscariis aucupiis venationibus et siluis cum molendinis fabrili et bracina et cum omnibus aliis libertatibus [etc.] . Faciendo inde predicti Adam et Marioria ac eorum heredes supradicti domino nostro Regi seruicium quantum ad dictas terras de jure pertinet / et nobis et heredibus nostris tres sectas in anno ad tria placita nostra capitalia infra baroniam predictam . Volumus eciam et concedimus pro nobis et heredibus nostris quod heredes predicti / quociens sibi succedere continget / liberum habeant ingressum et saysinam hereditarie in eisdem terris et molendino cum pertinenciis / Reddendo vnum pare calcarium deauratorum vel quadraginta denarios argenti . tantum . pro warda releuo maritagio ac ceteris seruiciis secularibus [etc.] / et nichilominus faciendo nobis et heredibus nostris homagium pro eisdem terris cum ad legitimam etatem poterunt peruenire [etc.] . In cuius rei testimonium presenti carte nostre sigilla nostra sunt appensa apud manerium nostrum Foreste de Kyntor . xij<sup>o</sup> . die mensis Maij . anno Domini millesimo trecentesimo . lx<sup>o</sup> . primo . Testibus domino Johanne de Strathechyn milite . Willemo de Melgdrum . Jacobo Fraser . Philippo de Dumbrek . Ingeramo de Wentona . Roberto de Camera et multis aliis . . QUAM quidem cartam etc . confirmamus saluo seruicio nostro . In cuius rei testimonium presenti carte nostre confirmacionis etc . Testibus etc . Apud Perth . sexto die mensis Aprilis . anno . regni nostri Tricesimo . Sexto . .

Confirmacio Roberti de Kethe <sup>1</sup> . (A.D. 1375.)

Robertus Dei gracia etc . Omnibus etc . Sciatis nos approbasse etc . donacionem illam et concessionem . quas dilecti et fideles nostri Willelmus de Kethe miles Marescallus noster Scocie et Margareta Fraser sponsa sua fecerunt et concesserunt . Roberto de Kethe . filio suo / de omnibus terris baronie de Strathechyn . cum omnibus forestis eiusdem / videlicet / Foresta de Coulpersauche et de Corlethny cum pertinenciis infra vicecomitatum de Kyncardyn . Tenendas et habendas dicto Roberto . et heredibus suis / de dictis Willemo et Margarete et de Roberto de Kethe herede earundem . filio quondam Johannis de Kethe filij et heredis ipso-

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, p. 111.]

rum Willelmi et Margarete / et de heredibus masculis ipsius Roberti . filij dicti Johannis / quibus heredibus masculis forsan deficientibus / de nobis et heredibus nostris in capite / in feodo et hereditate inperpetuum / adeo libere et quiete in omnibus et per omnia sicut carta dictorum Willelmi et Margarete prefato Roberto exinde confecta in se iuste continet et proportat . Saluo seruicio nostro . . In cuius rei *etc* . Testibus *etc* . Apud Edynburghe . xxvij<sup>mo</sup> . die Decembris . anno regni nostri . Quinto .

THE PARISH OF THE BIRSE.<sup>1</sup>A DESCRIPTION OF THE PARISH OF BIRSE.<sup>2</sup> (A.D. M.DCC.LXI.)

HE parish of Birse, in the shire of Aberdeen, has, on the north, the parish of Kincardine O'Neil; on the north-west, the parish of Aboyne; on the west, the parish of Glentaner; on the south and south-west, the Grampian hills, part of which is called The Forest of Birse, where formerly most of the parishoners drove their cattle to graze all summer; but now it is inhabited by Highlanders, from the head of Dee, who have cultivated some parts of the barren ground, by which the summer grazing is much obstructed. In that Forest stands the remains of an old castle: on what occasion or for what purpose it was built does not appear.<sup>3</sup> The parish of Birse has, on the east, the parish of Strachan.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 634.]

<sup>2</sup> [From The Edinburgh Magazine for 1761, pp. 527, 528. Edinb. 1761. 8vo.]

<sup>3</sup> ["In The Forest, or Glen-Birse, there is standing a good part of a castle, which was built by Gordon of Cluny, for a hunting seat, and which is now by the tenant converted into a sheep cot." (The Statistical Account of Scotland, vol. ix., p. 127. Edinb. 1793. See also The New Statistical Account of Scotland, number xxxix., p. 792. Edinb. 1842.) "The Forest of Birse, with the bail parish of Birse, consisting of twenty-four towns, were feued out by the Bishops of Aberdeen; and, betwixt the years 1574 and 1636, came all into the person of Gordon of Cluny, except six towns, called Kenminity, Tillysnaught, Tillyfrosky, Enderchat, Tillygarmount, and Belfedy. The family of Cluny, while in possession of eighteen of the twenty-four towns, about the year 1610, did make encroachments upon The Forest, by building a castle, and enclosing a part thereof, called Haughspittal and Cranna, by force and violence, in opposition to the heritors of The Six

The kirk <sup>1</sup> stands in the west end of the parish, on the south side of the river Dee, and is covered with heather.

The parish is divided into three divisions.

That part of it that lies in the west end of the parish, and nearest the kirk, is commonly called The Six Towns. In this part of the parish is Birsebeg, situated about half a mile west from the kirk. It was formerly the seat of Alexander Ross of Birsebeg, esquire; and is now the property of the Earl of Aboyne. About half a mile to the south-west of Birsebeg, is New Miln, the property of Mr. William Ross, teacher of an academy at London. About half a mile east from New Miln, is Balfour, the seat of Alexander Farquharson, esquire.

The second division is about the middle of the parish, situated along the banks of a fine burn, which takes its rise a little above a place called Glencate, about two miles south-west from the kirk, and runs due east about four miles, and then loses itself in the river Dee, four miles above the kirk of Banchory Ternan. This division is commonly called The Burn of Catie. In this quarter is Tillysnaught, <sup>2</sup> the seat of Thomas Forbes, esquire, situated on the bank of this burn, and about one mile south from the kirk. About half a mile east from Tillysnaught, is Midstrath, the property of Peter Young, esquire; and about half a mile east from Midstrath, is Inverquhate, the property of the laird of Finzean.

The third division is separated from the rest of the parish by a hill, called Cross-Dardar. On this hill there are some very large cairns of stones, and on the road-side, a large stone, set up on one end, called The Stone of Cross-Dardar. How, or on what occasion these great cairns of stones were gathered together, we have no account.<sup>3</sup> Through this part of the parish runs the water of

Towns, who were then very poor, notwithstanding their rights to the said Forest were anterior to those of the family, and universal over the whole Forest. It is informed that, about the year 1640, the heritors of the said towns vindicated their right to the said Forest by burning the castle built by Cluny, and by turning his laboured ground again into common, and continued so to possess for fourscore years afterwards." (Memorial for the Feuars of The Birse, 1755, MS. in private hands.)]

<sup>1</sup> ["In the year 1779, when they were razing the foundation of the old church, there was found a hill stone, near six feet long, with a two-handed long sword, a hatchet, and a cross carved upon it. The stone is now set up erect in the wall of the churchyard." (The Statistical Account of Scotland, vol. ix., p. 127.)]

<sup>2</sup> ["On the north of the burn of Chattie is Ballogie, formerly named Tillysnaught." (The Statistical Account of Scotland, vol. ix., p. 104.)]

<sup>3</sup> ["On the hill, about a mile north-east of Finzean, bearing the name of Corse Dardar, there is a place marked near the way-side with a long granite stone, which lately stood

Feugh. It takes its rise in The Forest of Birse, and, after a long tract thro' the hills, running due east, waters that part of the parish, and is joined by another water, called Avin, a little above a house called Whitestone, which is the east boundary of the parish of Birse. Betwixt that and the kirk of Strachan, it is joined by another water, called Dye; and, after running thro' the parish of Strachan to the east, it falls into the river Dee, at the kirk of Banchory Ternan. This division of the parish of Birse, as it lies south-east from the kirk, is commonly called The East Side of the Hill. In this division is Finzean,<sup>1</sup> about three-fourths of a mile south-west from Midstrath, the seat of Francis Farquharson, esquire. Half a mile south from Finzean, is Westercleen, on the south side of the water of Feugh; and half a mile east from Westercleen, is Eastercleen,<sup>2</sup> on the same side of the water; and a mile from Finzean, due east, on

erect, but now broken down. At a small distance from this spot are two cairns, one very large, and in form oblong: they are now covered by the woods of Finzean. On the top of the hill named Cairn Ferg, there is a large cairn, of a conical shape. In various places there are several huge stones lying above the ground: a few, near Inchbair, seem to have been a Druidical temple." (The Statistical Account of Scotland, vol. ix., pp. 126, 127.)]

<sup>1</sup> ["To the north-east of Finzean is a hill called The Gallow Hill. Another is near to Ballogie, formerly named Tillynaught." (The Statistical Account of Scotland, vol. ix., p. 129.)]

<sup>2</sup> ["At Easter Clune there are the small remains of a square tower, said to have been built by Archbishop Ross, who was proprietor of the place." (The Statistical Account of Scotland, vol. ix., p. 127.) See above, p. 43, note. "An imperfect ruin stands near Easter Clune, beside which had also existed formerly an Episcopal place of worship, and a small burying-ground." (The New Statistical Account of Scotland, number xxxix., p. 792.)]

"Besides Archbishop Ross, to whom the tower of Easter Clune belonged, and who was a native of Birse, the parish has given birth to some others, whose names deserve to be mentioned. Dr. Alexander Garden,<sup>a</sup> late of Charlestown, South Carolina, eminent for his skill as a physician, caused a monument, with an inscription in Latin, to be erected in front of the church here, to the memory of Mr. Alexander Garden, his father, who was upwards of fifty years minister of this parish. The famous George Rose, esquire, of the Treasury, is grandson to the late Donald Rose of Wester Clune. Captain David Ochterlounie, [of the family of Tillyfroesky,] mortally wounded and taken prisoner at the first attack on Quebec, was so much the favourite of General Wolfe, that he sent to the town to the Marquis de Montcalm, desiring that particular care should be taken of him." (The Statistical Account of Scotland, vol. ix., pp. 127, 128.) "To these may be added, the

<sup>a</sup> [Born, A.D. 1729; died, A.D. 1791. He corresponded with Linnaeus. See Professor Macgillivray's *Lives of Eminent Zoologists*, pp. 349—354. Edinb. 1834. 8vo.]



the north side of the water of Feugh, is Tillyfroskie. All these places are now the property of the laird of Finzean.

At the forementioned place of Whitestone, there is a fine bridge built over the river Feugh, consisting of five stone arches. This bridge is on the King's highway from Inverness to Edinburgh, leading thro' The Cairn of Mounth, and was built by a mortification left by the reverend Mr. Gilbert Ramsay; <sup>1</sup> who also left a mortification of twenty-five pounds sterling *per annum*, to be distributed among the poor of the parish, at the oversight of the minister, elders, and heretors of the parish; and a donation of twenty-five pounds sterling *per annum*, to maintain a charity school, at which he ordains the poor of the parish to be taught reading, writing, arithmetic, and Latin, *gratis*; and for that purpose there is a house built, about the size of a country minister's manse, at a place called Bank-head, near to the Place of Finzean.

The decreit anent the bailyery of The Birse pertening to my Lord of Abirdene <sup>1</sup> . (A.D. 1490.)

In presens of the lordis auditouris [ . xvij° Februarij . m° . cccc° . lxxxix° . ] comperit William bishop of Abirdene and protestit that nochtwithstanding he grantit to the delaying of the summondis betuix him and Schyr David Lindesay of Bewfurde knycht / that it suld turne him to na preiudice anent the xiiij nolt quhilk the said Schyr David grantit he haid takin in presens of the lordis

In presens of the lordis auditouris [ . xvij° . Februarij . m° . cccc° . lxxxix° . ] comperit Schyr David Lindesay of Bewfurde knycht and protestit that nochtwithstanding he haid confessit xiiij nolt takin fra William bishop of Abirdenis tennentis of The Birse / that it sulde turne him to

reverend John Skinner, [born A.D. 1721, died A.D. 1807,] grandfather of the present Bishop of Aberdeen, who was a native of Balfour, and who distinguished himself by various publications, and some celebrated Scotch songs." (The New Statistical Account of Scotland, number xxxix., p. 791.)]

"On Mount Ganiach there is a well, called Saint Com's Well, probably in honour of the celebrated saint of Icolmkill." (The Statistical Account of Scotland, vol. ix., p. 108.)]

<sup>1</sup> [See the Statistical Account of Scotland, vol. ix., pp. 119, 120, 123, 127; The New Statistical Account of Scotland, number xxxix., pp. 790, 792.]

<sup>2</sup> [From the Acta Dominorum ad Causas et Querelas audiendas Electorum in Parliamentis Regum Scotorum, pp. 139, 141, *unpublished*.]

na preiudice anent his lauchfull exceptionis to be proponit contrare the summondis rait betuix the said partiis and the witnes to be producit thairintill and all vtheris poyntis concerning the said summondis

In the actionne and cause persewit [ . xvij<sup>o</sup> Februarii . m<sup>o</sup> . cccc<sup>o</sup> . lxxxix<sup>o</sup> . ] be a reuerend fader in God William bischop of Abirdene aganis Schyr Dauid Lindesay of Bewfurde knyght / to bring witht him all lettrez and evidentis that he had anent the office of bailyery of The Birse and tuiching all clame thairto and to here and se thaim declarit of nain ayale nor effect because thai ar gevin without solempnite of law and agane the vtilite and proffit of the kirk in heretage or lifrent as wes allegiit / And for the spoliatioun of xij oxin and viij ky . price of the pece of the oxin xxx schillingis . price of the pece of the ky xxvj schillingis viij penneis . furthe of his saidis landis of The Birse at his avne hande / And for the maisterfull spoliatioun of viij pundis vsuale money of Scotlande of the said reuerend faideris males fra the tennentis of the said landis be the space of thre yeris bipast or therby / And also apoun the wrangwis spoliatioun of xj oxen and thre ky price of the pece forsaid / And for costis and scathtis sustenit be him thairthrow extendin to j<sup>c</sup> markis as wes allegiit . Baith the saidis partiis beand personaly present it was allegiit be the said Schir Dauid that he tuk a parte of the said gudis be ressoun of his bailyery and a yerely pensioun aucht to him of the said landis of The Birse / And be the said reuerend fader that the said gift of bailyery was contrare to the law quhare it wes maid to his faider and twa airis quhilk wes alienatioun and contrare to the law . The ressounis richtis and allegationis of baith the saidis partiis at lenthe sene hard and vndirstandin / The lordis of consale and auditouris hafand full power of parliament as said is decrettis and deliueris that the said Schyr Dauid did wrang in the taking of the saidis gudis othir be ressoun of bailyery or pensioun because the said gift of the forsaid office of bailyery and pensoun wes gevin to his faider and twa airis quhilk is alienatioun in the kirk / and wes done without the solempnite and the confirmationis requirit apoun the law / And because the said Schyr David tuk the said gudis be a pretendit gift of the said bailyery and office and as than vndeclarit / the lordis therefore decrettis and deliueris that the said Schyr Dauid has committit na spuilye in the takin of the sammyn and sall be na crime to him because he

did it be a colourit richt as said is / And also decrettis and deliueris that the said Schyr David sall deliuer agane xiiij nolt to the said reuerend faider takin be him of the said landis of Birss of the quhilkis the quantite and valour wes deferrit to the aith of the said Schyr David / quhilk grantit the sammyn / And at the said Schyr David sall decist and cese of all intro-metting and vseing off the said office of bailyery and taking of the said pensioun in tyme tocum / And decernis and declaris the said lettrez maid to him vnder the Bischop of Abirdenis sele / and the commoun sele of the sammyn sege / of nane avale force nor effect in tyme tocum because thai wer gevin withoutt solempnite and confirmatioun of law as said is

### THE PARISHES OF GLENMUICK, TULLICH, AND GLENGARDEN.<sup>1</sup>

DESCRIPTION OF THE PARISHES OF GLENMUICK, TULLICH, AND GLENGAIRN.<sup>2</sup>  
(A.D. M.DCC.XXXVI.)



HESE three united parishes are situate in the shire, diocese, and commissariat of Aberdeen, and presbytery of Kin-cardin.

Glenmuick is so named from the water of Muick, which runs out of Loch Muick, (two miles long,) and, after a course of five miles, falls into the river Dee. The parish of Glenmuick lyes on the south side of Dee, and consists of three different vallies :

1. Glen-Muick itself, which lyes on each side of the impetuous river Muick, which runs down from the Grampian mountains from south-west to north-east ; and the highest inhabited room in it is The 'Spittal, six miles above the church.
2. Inchmarnach, three miles to the east from Glenmuick.
3. Atnach, a small valley possess'd by five family's.

The number of examinable persons in the above three united parishes is sixteen hundred and eleven ; whereof three hundred and eighty-three are papists.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 639, 640.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

The kirk of Glenmuick is dedicate to the Blessed Virgin Mary <sup>1</sup>; Tullich, to St. Nachlan <sup>2</sup>; and Glen-garden, to St. Mungo, Bishop of Glasgow. <sup>3</sup>

<sup>1</sup> ["The church of Glenmuick, a very old house, thatched with heath, seems to have been dedicated to the Virgin Mary, from an annual meeting of the inhabitants on Candlemas day. There are two ruins in this parish: the one, about a mile north-west of the church, called The Castle of the Cnoc, a Gaelic word signifying a hill, upon the top of which the ruin stands; the other, in the eastern extremity of the parish, called Dee Castle, formerly Candacoil." (The Statistical Account of Scotland, vol. xii., pp. 222, 224. Edinb. 1794.)]

<sup>2</sup> ["The church of Tulloch is said to have been founded by St. Nethalan; and an annual meeting of the inhabitants is regularly kept on the eighth of January, in honour of his memory. It is termed the mother church. In the lower end of this parish, at the foot of the hill of Culblean, there is a beautiful lake, of about three miles in circumference, called Loch Cannor, containing several small islands, upon the largest of which there stood formerly a small fortress. The stones are now all cleared out; and the island, which measures near an acre, is under culture. The people, some years since, were in use to drag up large planks of oak from the bottom of the lake, between the island and the main land on the north side, evidently part of a drawbridge between the island and the shore. There is a stone set on its end on the north bank of the lake, fronting the island, with a great deal of carving upon it; but the figures are now unintelligible." (The Statistical Account of Scotland, vol. xii., pp. 224, 225.) See as to the Castle or Peel of Loch Cannor, Wyntownis Cronykil, book viii., cap. xxxi., ll. 101—106; J. Forduni Scotichronicon, lib. xiii., cap. xxxvi., vol. ii., p. 321. edit. Edinb. 1759. fol.; Extracta e Variis Cronicis Scocie, p. 169. Edinb. 1842. 4to.; H. Boethii Scot. Hist., lib. xv., f. 319, edit. 1575; G. Buchanani Rerum Scotic. Hist., lib. ix., cap. xxiii.; James Man's Censure and Examination of Mr. Thomas Ruddiman's Notes on the Works of Buchanan, p. 337. Aberdeen, 1753. 8vo.: "the inhabitants thereabouts call it *Loch Keandor*, in the south-west corner of *Cromar*; and I am told that the ruins of a castle, at which there was some action in the last century, are still to be seen in that *loch*, on the side of which there is a farm called *Kean-ord*, and hard by it another loch called *Lochdawn*, both about six miles from the castle of *Kildrumie*." In the spring of the year 1647, the army of the rebel Scottish parliament "tooke the Isle of Loghcannor, in Aboyn, which Huntley hade fortified." (Sir Robert Gordon's Genealogical History of the Earldom of Sutherland, p. 537.)]

<sup>3</sup> ["The church of Glengairn seems to have been dedicated to St. Mungo, from an annual meeting of the parishioners on the thirteenth of January." (The Statistical Account of Scotland, vol. xii., p. 226.)]

THE PARISHES OF CRATHIE AND KINDROCHT (OR BRAEMAR).<sup>1</sup>A DESCRIPTION OF THE PARISHES OF CRATHIE AND KINDROCHT.<sup>2</sup>

(A.D. M.DCC.XXXVI.)



RATHIE and Kindrochit are united parishes, in the shire, diocese, and commissariat of Aberdeen, and presbytery of Kincardine O'Neil.

Both these parishes ly in Mar; and are from Ballachaillich, east, to Ledyolly, west, sixteen miles and an half in length, and about four miles broad in some places, but generally does not exceed one mile along the course of the river Dee, which extends itself from one end to the other of these parishes.

Examinable persons in this united parish are seventeen hundred and thirty-eight; whereof eleven hundred and ninety-six are protestants, and five hundred and forty-two, papists.

Here are two places of worship: the kirk of Crathie, where the minister's manse is; and the kirk of Kindrochit, six miles distant from Crathie; and the minister preaches in them by turns.<sup>3</sup>

To understand aright the description of these parishes, it is necessary to mention the small straths on both sides, whose waters fall into Dee on both sides, and give name to these straths, beginning at the east end, and going on to the west.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 641—643.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>3</sup> [“ Quid dicam de montanis *Marriæ*, *Strathaveniæ*, *Strathspeiæ*, *Atholæ*, *Badenochæ*, et *Lochabriæ*, aliarumque similium regionum incolis? quid de *Aebudanis*? quorum multi rarissime, multi vero vix unquam, de Christo quicquam inaudiunt: cum apud eos aut penitus nulli, aut imperitissimi ac nequissimi, aut longissime inter se dissiti sint ministri evangelii. Alibi etiam quaedam ita sunt spatii amplæ ac populosæ parochiæ, ut tertiæ populi parti instruendæ vix sufficerent duo quamvis valentissimi ac vigilantissimi praecones; nedum ut uni, ut fit, ea provincia relinquenda sit. Alibi parochiæ, olim tolerabiles, nunc, proh dolor, stimulante avaritiâ, per combinationes, et contrinationes, ad se invicem ita collisæ sunt, ut earum unicus praeffectus, dum multa agit, nihil peragat.” (Gemitus Ecclesiæ Scoticanæ, sive Tractatus de Sacrilegio. Ex libro octavo Theologiæ Moralis Joannis Forbesii, SS. Theologiæ Doctoris, et ejusdem Professoris in Academia Aberdoniensi, cap. xiii. par. ii. sect. xiii. Aberdoniæ, 1631. 4to.) This tract is reprinted in Dr. George Garden's edition of the works of the author, published by the Wetsteins at Amsterdam in 1703, but with the omission of an instructive dedication to the Primate, Archbishop Spottiswoode.]

At the east end of these parishes, Girnaig, a small water, (giving name to Strath-Girnaig,) runs into Dee from the south hills. Along, on one side of this water, are five dwelling places, situate among mountains, the farthest of which is two miles from that part of Dee to which this water runs.

From the eastmost end of these parishes, along the river Dee, to the kirk of Crathie, westward, are three miles. From thence, a corner of these parishes runs up among the hills, on the north side of Dee, as far as to the water of Garden, to the number of five miles. In this are ten dwelling places, some of them situate on each side of the water of Gairdin, and others of them scatter'd, here and there, att the foot of the mountains.

From the kirk of Crathie to Monaltry, westward, along the river Dee, will be a large mile: from thence, along the water of Gelder, on the south side of Dee, are two dwelling places, att one miles distance from the mouth of Gelder.

From Monaltry, along the river Dee westward, is near a mile to Inver, where the water of Ferdur falls into Dee: in Glenfardur, along both sides of this water, are ten different dwelling places, some of them att two miles distance from Inver, among hills on the north side of Dee.

From Inver to the kirk of Brae-Mar, or Kindrochit, along the river Dee, westward, are four miles. A little to the westward of this kirk, the water of Cluny falls into Dee, from the south hills; and along both sides of this water are twelve dwelling places, some of them five miles from its fall into Dee.

From the kirk of Kindrochit, along the river Dee, to Alanquhoich, westward, are two miles. Here the water of Quholch, or Colch, falls into Dee from the north hills; and on it there is only one dwelling, att the distance of a mile and a quarter from the embucheur of Coich.

From Alanquhoich to Inver-Ey, west, are two miles, where the water of Eye falls into Dee from the south hills; and on both sides of this water are five different dwelling places, the furthest of them three miles from the embucheur of Ey into Dee.

A litle to the west of Inver-Ey, on the north side of Dee, the water of Luy runs into Dee. Along both sides of this water are five different dwellings, one of them three miles from that part of Dee into which Luy falls.

From Inver-Ey to Lead-yeolley, along the river, westward, are three miles and a half. Here are several dwelling places, on both sides of Dee, amongst rugged hills; and this is the furthest habitable part of these parishes westward; but Brae-Mar reaches fifteen miles farther, but quite uninhabited, being lost as it were in a wild desert.

Formerly the Earl of Mar, now [William] Duff, Lord Bracco, is superior of most of these parishes.

Of both which parishes, having said so far in general, I shall now treat particularly ; and, first, as to

**BRAE-MAR OR KINDROCHIT.**

It is called Brae-Mar, because it is the uppermost part of that division of Aberdeenshire called Mar ; and Kindrochit, *id est* Bridge-end, because the church stands at the end of a timber bridge over Cluny, which gives name to Glen-Cluny, and runs here into Dee.

Chappels in Kindrochit are :

1. Eglis-kean-na-dallach, an old chappell at Dalmore.
2. Chappell of the Seven Maidens, at Inverey, where that family bury their dead.
3. Saint Bride's, at Crochaui.
4. Att Tom-an-taul.
5. At Balanard, two miles beneath the church, on Deeside ; and
6. At Guastoch, five miles beneath the church, on Deeside.

There is also an Hospital here at Cairnwall, (called Shean-Spiddal, or old hospital,) where there is a road over the Grampian hills.

Manners here are :

1. Inver-cauld, belonging to John Farquharson of Inver-cauld, commonly reckon'd chief of that name.
2. Inver-Ey, the seat of Charles Farquharson of Inver-Ey.
3. Auchindrein, the seat of Farquharson of Auchindrein.
4. Coldarach, the seat of Farquharson of Coldarach.
5. Allanquhoich, the seat of Farquharson of Allanquhoich.
6. Dalmore, the seat of M'Kenzie of Dalmore.
7. The King's Castle at Kindrochit or Castle-town, now ruinous, said to have been built by King Malcolm III.<sup>1</sup>

<sup>1</sup> [“ There is, upon the estate of Castletown of Braemar, the ruins of an ancient castle, built, as tradition reports, by King Malcolm Kenmore for a hunting seat. It stood on the top of a rock on the east side of the water of Cluny.” (The Statistical Account of Scotland, vol. xiv., p. 350. Edinb. 1795.)

Kindrocht in Mar appears to have been often visited by King Robert II. Charters are extant, granted by him there, on the tenth of July, 1373 ; on the twenty-sixth of July, and the twenty-sixth of August, 1377 ; on the fourth of July, 1379 ; on the first and twentieth of August, 1380 ; and on the thirtieth of August, 1382. (*Registrvm Magni Sigilli Regvm Scottorvm*, pp. 99, 148, 171, 143, 164, 165 ; *Kennedy's Annals of Aberdeen*, vol. i., p. 478 ; *Collections for a History of the Shires of Aberdeen and Banff*, p. 316.) On the twenty-sixth of August, 1377, the King was attended by William, bishop of Saint

## CRATHIE OR STRATHDEE.

The parish of Crathie is sometimes called Strath-Dee, because it is a plain along Dee; but that name extends somewhat further than Crathie parish.

In Crathie are four chappells:

1. Of the Hermites, att Miacra or Micras.
2. St. Valentine's, att Abergeldie.
3. . . . ., at Aberardour.
4. At Balmurrell.

Mannors here are:

1. Abergeldie, the seat of Gordon of Abergeldy: the old castle here is ruinous.
2. Monaltrie,<sup>1</sup> belonging to Farquharson of Monaltrie, brother to Invercauld.
3. Aber-ardour, belonging to Inver-cauld.
4. Bal-murrell, the seat of Farquharson of Bal-murrell, brother to Inver-Ey.
5. Tulloch-coy, belonging to Farquharson of Tulloch-coy.

The kirk of Crathie is dedicate to St. Niniar or St. Manir;<sup>2</sup> the kirk of Kindrochit, to St. Andrew the Apostle.

The stipend of both parishes, by a decreet of locality in King George the First's time, is eight hundred merks, besides communion elements.

Andrews; by John earl of Carric, steward of Scotland; Robert earl of Fife and Men-teith; William earl of Douglas; John of Peblys, archdeacon of Saint Andrews, the King's chancellor; Sir James of Lyndesay, knight; and Sir Alexander of Lyndesay, knight. The same King granted a charter at Glenschee, on the twenty-seventh of June, 1376. (Registrvm Magni Sigilli Regvm Scotorvm, p. 131.)]

<sup>1</sup> ["On the lands of Monaltry, and on the north bank of the river Dee, in a narrow pass, where there is not above sixty yards from the river to the foot of a high, steep, rocky hill, stands a cairn, known by the name of *Carn-na-cuimhne*, or cairn of remembrance. This is the watch word of the country. In former times, the moment the alarm was given that danger was apprehended, a stake of wood, the one end dipped in blood, and the other burnt, as an emblem of fire and sword, was put into the hands of the person nearest to where the alarm was given, who immediately ran with all speed, and gave it to his nearest neighbour, whether man or woman: that person ran to the next village or cottage, and so on, till they went through the whole country; upon which every man instantly laid hold of his arms and repaired to Cairn-na-cuimhne. The stake of wood was called *Croishtarich*. At this day, were a fray or squabble to happen at a market or any public meeting, such influence has this word over the minds of the country people, that the very mention of Cairn-na-cuimhne would, in a moment, collect all the people of this country who happened to be present, to the assistance of the person assailed." (The Statistical Account of Scotland, vol. xiv., pp. 351, 352.)]

<sup>2</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 135—137.]



Carta Duncani comitis de Marr de ecclesia de Kindrouch . <sup>1</sup> (A.D. 1214—A.D. 1234.)

Omnibus has litteras *etc* . Duncanus . Comes de Marre . salutem . vniuersitati vestre notum facimus nos dedisse . et hac carta nostra confirmasse . Deo et Sancte Marie de Munimusc . et canonicis ibidem Deo seruientibus et inperpetuum seruituris . pro animabus antecessorum et successorum nostrorum . ecclesiam Sancti Andree de Kindrouch cum ouencionibus et oblacionibus et omnibus aliis justis pertinenciis suis . et cum vna acra terre in Aucatendregen ex altera parte amnis qui uocatur Alien . in puram et perpetuam elemosinam . Quare volumus quod prefati canonici prefatam ecclesiam Sancti Andree de Kindrouch habeant et possideant . prout melius . quiecius plenius . honorificencius aliqua elemosina in toto regno Scocie . ex dono alicuius comitis uel baronis tenetur et possidetur . Testibus *etc* .

Confirmacio Gilberti Aberdonensis episcopi de ecclesia de Kindrouch . <sup>2</sup> (A.D. 1228—A.D. 1239.)

Omnibus sancte matris ecclesie filiis hoc scriptum visuris uel audituris . Gilbertus miseracione diuina ecclesie Aberdonensis minister humilis . eternam in Domino salutem . Nouerit vniuersitas uestra nos ad presentationem nobilis viri Domini Duncani Comitis de Marre . dedisse . concessisse . et hac carta nostra confirmasse . Deo et ecclesie Sancte Marie de Munimusc et canonicis ibidem Deo seruientibus et seruituris ecclesiam Sancti Andree de Kindrouch . cum decimis oblacionibus . et ouencionibus et omnibus aliis ad eandem ecclesiam iuste pertinentibus . et cum vna acra terre in Auchatendregen ex altera parte amnis qui vocatur Alien . Tenendam et habendam in puram et perpetuam elemosinam . adeo libere et quiete . plenarie . et honorifice . sicut aliqua elemosina in regno Scocie . liberius . quiecius . plenius et honorificencius . tenetur et possidetur . Saluis episcopalibus . In huius rei testimonium presens scriptum sigilli mei munimine duximus roborandum . Testibus . *etc* .

<sup>1</sup> [From the Liber Cartarum Prioratus Sancti Andree, p. 367.]

<sup>2</sup> [From the Liber Cartarum Prioratus Sancti Andree, p. 368.]

On the twenty-eighth of May, A.D. 1245, the same church of Saint Andrew of Kindrocht was confirmed to the prior and convent of Munimusc by Pope Innocent IV. (*Id.* p. 372; Collections for a History of the Shires of Aberdeen and Banff, pp. 177, 178.)]

Carta Jacobi Moraue comitis de terris et dominiis de Bramar et Straith-dee .<sup>1</sup> (A.D. 1564.)

**MARIA** Dei gratia Regina Scotorum . OMNIBUS probis hominibus totius terre sue clericis et laicis salutem . SCIATIS nos post nostram legitimam et perfectam etatem viginti vnus annorum completam / dissolutionemque per nos in parlamento nostro cum auisamento trium regni nostri statuum factam / assedauius arrendauimus locauimus et ad feodifirmam hereditarie dimisimus dilecto fratri nostro Jacobo Moraue Comiti Domino Abirnethye et heredibus suis subscriptis . Omnes et singulas terras nostras et dominium de Bramar continentia terras subscriptas extendentes annuatim nostro in rentali ad firmas grassumas et alia deuoria subscripta / videlicet . Terras de Inuerre extendentes annuatim ad quadraginta solidos firme / dimidiam partem martis / quatuor lie reik hennis / duos muttones / pro areagiis et careagiis nouem solidos / et tresdecem libras sex solidos octo denarios in quolibet quinquennio pro gressuma earundem . Chapell Croft de Inuerre cum domibus et edificiis earundem extendentium annuatim ad tres solidos quatuor denarios firme / et pro grassuma earundem in quinquennio tres solidos quatuor denarios . Terras de Dalmoir extendentes annuatim ad tres libras firme / dimidiam partem marte / duos muttones / vnam bollam auenarum / quatuor lie reik hennis / pro areagiis et careagiis tresdecem solidos sex denarios / et in quolibet quinquennio decem libras gressume . Terras de Corremulze extendentes annuatim ad viginti sex solidos octo denarios firme / quartam partem marte / vnum muttonem / sex lie reik hennis / vnam bollam auenarum / pro areagiis et careagiis sex solidos / et in quinquennio decem libras gressume . Terras de Craigane extendentes annuatim ad tresdecem solidos quatuor denarios firme / tres lie reik hennis / dimidiam partem muttonis / octauam partem marte / pro areagiis et careagiis tres solidos / et in quolibet quinquennio quadraginta duos solidos gressume . Terras de Westir Allancoch extendentes annuatim ad viginti sex solidos octo denarios firme / octauam partem marte / dimidiam mutonis / vnam bollam auenarum / tres lie reik hennis / pro areagiis et careagiis sex solidos / et quolibet quinquennio quatuor libras gressume . Terras de Estir Allancoch extendentes annuatim ad viginti sex solidos octo denarios firme / octauam

<sup>1</sup> [From Robertson's Parliamentary Records of Scotland, pp. 757—759. Edinb. 1804. fol.]

partem marte / vnum muttonem / sex solidos pro areagiis et careagiis / vnam bollam auenarum / sex lie reik hennis / et in quinquennio quatuor libras gressume . Terras de Cambusnakeist extendentes annuatim ad quinquaginta solidos firme / quartam partem marte / vnum muttonem / septem lie reik hennis / vndecem solidos tres denarios pro areagiis et careagiis / vnam bollam auenarum / et in quolibet quinquennio quinque libras gressume . Terras de Auchindryne extendentes annuatim ad quinquaginta solidos firme / quartam partem marte / vnum mutonem / sex lie reik hennis / pro areagiis et careagiis vndecem solidos tres denarios / vnam bollam auenarum / et in quinquennio quinque libras gressume . Terras de Auchinquhillater extendentes annuatim ad viginti sex solidos octo denarios firme / quartam partem marte / vnum muttonem / quatuor lie reik hennis / pro areagiis et careagiis sex solidos / et in quinquennio tres libras sex solidos octo denarios gressume . Terras de Kindrocht alias Casteltoun extendentes annuatim ad decem libras firme / vnam martam / quatuor muttones / duodecem lie reik hennis / pro areagiis et careagiis quadraginta quinque solidos / duas bollas auenarum / et pro gressuma in quinquennio viginti libras . Terras de Thoumereauch que lie owtsett de Kindrocht existunt extendentes annuatim ad viginti solidos firme / et in quinquennio ad viginti quinque solidos gressume . Terras de Inuerquhanwik extendentes annuatim ad triginta tres solidos quatuor denarios firme / quartam partem marte / vnum mutonem / duas lie reik hennis / vnam bollam auenarum / septem solidos sex denarios pro areagiis et careagiis / et in quinquennio quinque libras gressume . Terras de Inuercald extendentes annuatim ad quinque libras firme / dimidiam partem marte / duos mutones / sex lie reik hennis / vnam bollam auenarum / pro areagiis et careagiis viginti duos solidos sex denarios / et in quinquennio decem libras gressume . Terras de Keloch extendentes annuatim ad quinque libras firme / dimidiam partem marte / duos muttones / tres lie reik hennis / pro areagiis et careagiis viginti duos solidos sex denarios / vnam bollam auenarum / et in quinquennio decem libras gressume . Terras de Clonye extendentes annuatim ad quinquaginta solidos firme / quartam partem marte / vnum mutonem / duos lie reik hennis / pro areagiis et careagiis vndecem solidos tres denarios / dimidiam bollam auenarum / et in quinquennio quinque libras gressume . Croftam vulgo lie Cowbill Croft cum cymba lie cowbill de Casteltoun assedata pro transportatione colonorum patrie extra aquam de Dee . Necnon totas et integras terras et dominium

de Straithdee subscriptas extendentes annuatim nostro in rentali in firmis et aliis devoriis subtus specificattis / videlicet / Terras de Abirardour jacentes infra dominium nostrum de Straithde extendentes annuatim ad quatuor libras tresdecem solidos et quatuor denarios firme / dimidiam partem marte / duos mutones / quatuor lie hennis / vnam bollam auenarum / pro areagiis et careagiis viginti vnum solidos / et in quinquennio decem libras gressume . Terras de Schanvill extendentes annuatim ad quadraginta solidos firme / quartam partem marte / vnum mutonem / quatuor lie reik hennis / vnam bollam auenarum / pro areagiis et careagiis nouem solidos / et in quinquennio ad quinque libras gressume . Terras de Ballaclagan extendentes annuatim ad quadraginta solidos firme / quartam partem marte / quatuor lie reik hennis / vnam bollam auenarum / vnum muttonem / pro areagiis et careagiis nouem solidos / et in quinquennio quatuor libras gressume . Terras de Tulloquhy extendentes annuatim ad viginti sex solidos octo denarios firme / quartam partem marte / quinque lie reik hennis / vnum muttonem / vnam bollam auenarum / pro areagiis et careagiis sex solidos / et in quinquennio quinquaginta tres solidos quatuor denarios gressume . Terras de Monaltre extendentes annuatim ad decem libras firme / vnam martam / quatuor mutones / duodecem lie reik hennis / duas bollar auenarum / pro areagiis et careagiis quadraginta quinque solidos / et in quinquennio viginti libras gressume . Terras de Crathynard extendentes annuatim ad septem libras sex solidos octo denarios firme / vnam martam / quatuor muttones / octo lie reik hennis / duas bollar auenarum / pro areagiis et careagiis triginta tres solidos / et in quinquennio sexdecim libras gressume . Terras de Kirkoun de Crathye extendentes annuatim ad quinque libras firme / dimidiam marte / duos mutones / vnam bollam auenarum / quinque lie reik hennis / pro areagiis et careagiis viginti duos solidos sex denarios / et in quinquennio decem libras gressume . Terras de Inueryalder extendentes annuatim ad quinquaginta tres solidos quatuor denarios firme / quartam partem marte / vnum mutonem / tres lie reik hennis / vnam bollam auenarum / pro areagiis et careagiis duodecem solidos / et in quinquennio quinquaginta tres solidos quatuor denarios gressume . Terras de Balmoran extendentes annuatim ad quinque libras quatuor decem solidos firme / tres quarterias marte / tres muttones / octo lie reik hennis / duas bollar auenarum / pro areagiis et careagiis viginti quinque solidos sex denarios / et in quinquennio viginti libras gressume .

Fabrile de Inueryalder et croftam ejusdem extendentia annuatim ad viginti quatuor farra equorum lie horas schoine pretium eorundem octo solidos / et in quinquennio viginti solidos gressume . Terras de Westir Mecraw extendentes annuatim ad octo libras firme / vnam martam / quatuor mutones / duodecem lie reik hennis / duas bollas auenarum / pro areagiis et careagiis triginta sex solidos / et pro qualibet quinquennali gressuma viginti libras . Terras de Eister Mecraw extendentes annuatim ad decem libras firme / vnam martam / quatuor mutones / decem lie reik hennis / duas bollas auenarum / pro areagiis et careagiis quadraginta quinque solidos / et pro qualibet quinquennali gressuma viginti libras . Terras de Dalpadie extendentes annuatim ad quinque libras firme / vnam martam / quatuor mutones / duas bollas auenarum / sex lie reik hennis / pro areagiis et careagiis viginti duos solidos sex denarios / et pro qualibet quinquennali gressuma decem libras . Terras de Quiltis extendentes annuatim ad sex libras firme / vnam martam / quatuor mutones / decem lie reik hennis / duas bollas auenarum / pro areagiis et careagiis viginti septem solidos / et pro qualibet quinquennali gressuma tresdecem libras . Terras de Rannabroith extendentes annuatim ad quadraginta solidos firme / vnam quartam partem marte / vnum mutonem / vnam bollam auenarum / quatuor lie reik hennis / pro areagiis et careagiis nouem solidos / et pro qualibet quinquennali gressuma sex libras . Teras de Tombellie extendentes annuatim ad quadraginta solidos firme . duas lie reik hennis / et pro qualibet quinquennali gressuma quatuor libras . Terras de Roquhartore extendentes annuatim ad quinquaginta solidos firme / vnam quartam partem marte / vnum mutonem / vnam bollam auenarum / duas lie reik hennis / et pro qualibet quinquennali gressuma quinque libras / ac pro areagiis et careagiis vndecem solidos et tres denarios . Croftam de Daldouy extendentem annuatim ad viginti solidos firme et pro qualibet quinquennali gressuma viginti solidos . Terras de Lawsie extendentes annuatim ad octo libras firme / vnam martam / quatuor mutones / nouem lie reik hennis / duas bollas auenarum / pro areagiis et careagiis triginta sex solidos / et pro qualibet quinquennali gressuma viginti quatuor libras . Terras de Inuerenze extendentes annuatim ad quinquaginta solidos firme / vnam quartam partem marte / vnum mutonem / vnam bollam auenarum / pro areagiis et careagiis vndecem solidos tres denarios / et pro qualibet quinquennali gressuma decem libras . Cum castris turribus fortaliciis siluis forestis

molendinis piscariis tenentibus tenandriis liberetenentium seruiis aduocacione et donacione ecclesiarum beneficiorum et capellaniarum omnium et singularum predictarum terrarum cum suis pertinentibus jacentium infra vicecomitatum nostrum de Abirdene . Quibusquidem omnibus et singulis firmis totarum terrarum respectiue prescriptarum simul computatis ac in vnam summam coniectis extendunt annuatim ad summam septuaginta nouem librarum octo solidorum et octo denariorum . predictis totis et integris prefatis areagiis et careagiis et earundem pecunia similiter insimul computatis extendunt annuatim ad summam viginti octo librarum viginti vnus denariorum . necnon singulis quinquennalibus gressumis predictarum terrarum simul computatis ac in vnam summam coaceruatis extendunt annuatim ad summam sexaginta duarum librarum nouem solidorum et vnus denarii . omnibus et singulis martis suprascriptis simul connumeratis extendunt ad quindecim martas quartam partem marte et octauam partem marte . mutonibus ad sexaginta duos . lie reik hennis ad centum et septuaginta sex . necnon prescriptis auenis ad duas celdras quatuor bollar et duas ferlotas . TENENDAS ET HABENDAS totas et integras prenominatas terras et dominium nostrum de Bramar continentia prescriptas terras de Inuerrie Chapell croft Dalmoir Corremulye Craigan Eistir Allancoch Westir Allancoch Cambusnakist Auchindryne Auchinquhillater Kindroch alias Castelltoun Thomenereauch Inuerquhanvik Inuercauld Keloch Clonye et Cowbill croft cum cymba de Casteltoun . ac etiam totas et integras terras et dominium de Straithde continentia prenominatas terras de Abirardour Schanvell Tullochye Ballaclagan Monaltrie Craithynard Kirkton de Crathye Inueryalder Balmoran Fabrile de Inueryalder Westir Mecraw Eistir Mecraw Dalpadie Quiltis Rannabroith Tombellie Roquhartrie Croftam de Daldouie Lawsie Inuerrenze cum castris turribus fortaliciis siluis forestis molendinis [*etc.*] memorato Jacobo Moraue Comiti et heredibus suis masculis de corpore suo legitime procreatis seu procreandis / quibus deficientibus nobis et nostris successoribus reuersuras / de nobis et nostris successoribus in feudifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas [*etc.*] cum curiis et earum exitibus herezeldis bludewittis et mulierum merchetis cum furca fossa sok sak thole theme infangtheif outfangtheif pit et gallouss vert et venessoun cum liberis forestis infra omnes partes loca bondas et metas terrarum prescriptarum vbicunque silue et arbores crescunt seu crescere

poterint cum liberis forestarum curiis exitibus amerchiamementis eschaetis ac omnibus aliis baronie seu forestarum curiarum priuilegiis [etc.] . **INSUPER** DAMUS et concedimus / ac plenariam potestatem libertatem et priuilegium memorato Jacobo Moraue Comiti et heredibus suis prescriptis committimus / excindendi et excolendi siluas et arbores crescentes infra bondas omnium terrarum prescriptarum vendendi et desuper ad eorum placitum disponendi ac etiam fundum earundem effodiendi et seminandi ad ipsorum voluntatem et proficuum prout eis videbitur expediens . **SOLUENDO** inde annuatim memoratus Jacobus Moraue Comes et heredes sui prescripti nobis et nostris successoribus rotulatoribus camerariis assignatis seu factoribus nostris summam septuaginta nouem librarum octo solidorum et octo denariorum monete regni nostri tanquam firmas annuales in predicto rentali nostro specificatas / ac summam viginti octo librarum et viginti vnus denariorum tanquam pro integris areagiarum et careagiarum summis in eodem rentali contentis / necnon summam septuaginta duarum librarum nouem solidorum et vnus denarii tanquam pro annuis gressumis predictarum terrarum eisdem connumeratis secundum ratam cuiuslibet quinquenalis locationis earundem / ac etiam summam triginta solidorum tanquam pro pretio cuiuslibet dictarum quindecim martarum quarte partis et octaue partis marte contentarum in eodem rentali / summam quinque solidorum tanquam pro pretio cuiuslibet dictorum sexaginta duorum mutonum in prefato rentali specificatorum / quatuor denarios tanquam pro pretio cuiuslibet dictarum centum et septuaginta sex lie reik hennis contentarum in predicto rentali / summam trium solidorum quatuor denariorum tanquam pro pretio cuiuslibet bolle dictarum duarum celdrarum quatuor bollarum et duarum ferlotarum auenarum in prefato rentali mentionatarum tanquam pro integris firmis areagiis careagiis gressumis pecuniarum summis martis mutonibus lie reik hennis et auenis supra specificatis in suprascripto nostro rentali contentis / vnacum trium librarum sex solidorum octo denariorum [summa] in annuam augmentationem eiusdem rentalis / ad duos anni terminos Penthecostes et Sancti Martini in hyeme per equales portiones nomine feudifirme tantum / necnon heredes masculi prefati Jacobi Moraue Comitis duplicando dictam firmam pecuniarum in prefato rentali contentam extendentem ad prenominatam summam septuaginta nouem librarum octo solidorum et octo denariorum primo anno cuiuslibet eorum introitus ad predictas terras et dominium prescriptum prout vsus est feudifirme / ac

etiam edificando et sustendendo super easdem aulas cameras culinas  
 caulas columbaria et alias politias fundo correspondentes secundum formam  
 acti nostri parlamenti desuper confecti . IN CUIUS REI testimonium  
 huic presenti carte nostre magnum sigillum nostrum apponi precipimus .  
 Testibus reuerendissimo in Christo patre Joanne Archiepiscopo Sancti-  
 andree / dilectis nostris consanguineis Jacobo Comite de Mortoun do-  
 mino de Dalkeith cancellario nostro / Willelmo Comite Mariscalli domino  
 Keith . dilectis nostris familiaribus consiliariis Richardo Maitland de  
 Lethingtoun equite aurato nostri secreti sigilli custode / magistro Jacobo  
 Makgill de Rankelour Nether nostrorum rotulorum registri ac consilii  
 clerico / et Joanne Bellenden de Auchnoull milite nostre justicie clerico .  
 Apud Halyrudehouss vicesimo secundo die mensis Decembris anno Do-  
 mini millesimo quingentesimo sexagesimo quarto . et regni nostri vicesimo  
 tercio .



## THE PRESBYTERY OF FORDYCE.

THE PARISH OF FORDYCE.<sup>1</sup>

A DESCRIPTION OF THE PARISH OF FORDYCE. BY MR. WILLIAM OGILVY.

A.D. M.DCC.XXIV.<sup>2</sup>

HE church standeth in a litle village called Fordyce,<sup>3</sup> where ther's a good house belonging to the Earl of Findlater; and another to Glassah, with several other good houses, stands on a litle burn west from the village, which burn is called The Burn of Fordyce, hath in it plenty of trouts, and runneth straight to the sea.

North-east from the church one myle, and half way betwixt it and the sea, is the dwelling house of Abercrumby of Glassah.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 644.

"The parish of Fordyce seems to have comprehended originally the parishes of Ordiquhill, Deskford, and Cullen. When the disjunction of these took place cannot be positively ascertained; but from a decreet of stipend for Fordyce in the year 1618, it appears to have been subsequent to that period." (The New Statistical Account of Scotland, number xxxviii., p. 183. Edinb. 1842.)]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>3</sup> ["The Kirktown of Fordyce was erected into a burgh of barony, at the instance of William Elphinstone bishop of Aberdeen, in the year 1499, with the privilege of a weekly market, and an annual fair appointed to be held *in Festo Sancti Tallericani* [30 Octob.] *et per octavas ejusdem*. Saint Tallerican, or Tarkin, seems to have been the patron saint of the parish; and a well is still called by his name. In a later charter, granted in 1592, to Menzies of Durn, the annual fair is appointed to be held *ad Festum Omnium Sanctorum* [1 Novemb.] *vulgo All-Hallowmes per spatium octo dierum*. (The Statistical Account of Scotland, vol. iii., pp. 62, 63, 64, 59. Edinb. 1792.) On the ninth of January, 1683, Alexander Hay of Monktonne was served heir to Alexander Hay of Monktonne his father, "in mansione cum torrili quae ad clericos parochiales de Fordyce pertinuerunt; acris terrarum nuncupatis Clerks Croft, et ruda terrae vocata Ruid Rigg, cum decimis garbalibus, pastura, et libertate focalium in villa de Fordyce, in dominio de Fordyce et parochia ejusdem." (Inquisitionvm ad capellam Domini Regis retornatarvm, quae in pvblicis archivis Scotiae adhuc servantvr, Abbrevatio, inquisit. special. vicecomit. de Banff. n. 144. Printed by command of His Majesty King George III. 1811. fol.)]

The parish is bounded by the sea, from about a furlong from Cullen on the west, to the north and east, as far as to The Burn of Boyne, four myles.

From the town of Fordyce to the north-east, about two miles, on a rock at the sea, standeth the old castle of Findlater,<sup>1</sup> ruinous.

From that to the south-west one myle, is the house of Birkenbogue, belonging to Sir James Abercromby, baronet. Below which, to the east, is some planting inclosed, belonging to the Earle of Findlater, called Bogue-park. About half a mile from which, to the north-east, is a sea towne, called Sand-end, belonging to the Earle of Findlater; and one myle east from that, is a house called Redhaven, belonging to the said Earle, on the sea.

To the north-east from that, one myle, is a sea port and burgh of barony, called Portsoy,<sup>2</sup> belonging to the said Earle, with a safe harbour and bullwork, where there are severall good houses; and to the south-east, hard by the toune, is an old chappel, where now is a large meeting-house lately builded. Near to which is a dwelling, called Aird; and half a myle from it to the south-west, is the house of Durn, belonging to Sir James Dunbar, baronet, near to a hill call'd Hill of Durn.

<sup>1</sup> ["The old Castle of Findlater stands on a peninsulated rock on the sea-shore; and still evidences that it had been a place of considerable importance. Leslie, Bishop of Ross, describes it as 'castrum, loci natura ita munitum, ut inexpugnabile videatur.' Its outer, or north wall, is so built as to correspond with the face of the rock; and its windows, which appear to have been chiefly on that side, would thus look into the sea. The lower apartments, some of which are partly excavated out of the solid rock, are strongly vaulted with stone arches; and the south side of the building, which was the only one exposed to danger, appears to have consisted of a large mass of dead wall, protected by a fosse and drawbridge. Beyond this, and at about the distance of a hundred yards, there had been another fosse and rampart, as an outwork to defend the castle." (The New Statistical Account of Scotland, number xxxviii., pp. 186, 187.)]

<sup>2</sup> ["Portsoy was erected into a burgh of barony by a charter granted by Queen Mary in the year 1550." (The New Statistical Account of Scotland, number xxxviii., p. 191.) The charter bears to be granted "pro poletia et edificatione habenda in villa de Portsoy / pertinente hereditarie Waltero Ogiluy de Boyne militi / jacente prope mare [in thanatu de Boyne] infra vicecomitatum nostrum de Banff . ob receptationem et hospitacionem liegiorum nostrorum ad dictam villam siue per mare siue per terram venientium / ac pro communi vtilitate decore et poletia regni nostri . necnon pro bono fidei et gratuito seruicio nobis per dictum Walterum impenso"; and it confers the usual privileges "cum potestate insuper burgensibus et inhabitantibus dicti burgi in eodem pro perpetuo crucem forealem / et forum singulis hebdomadibus die Mercurii / cum liberis nundinis annuatim die Sancti Michaelis Archangeli et per octauas eiusdem / habendi et tenendi" . (Municipal Corporations. (Scotland.) Local Reports from the commissioners, part iii., p. 144. Lond. 1836. fol. Presented to both houses of parliament by command of His Majesty.)]

And from The Hill of Durn<sup>1</sup> to the north-east, is a dwelling house called Airnbath, formerly belonging to the name of Hay, now to the Earle of Findlater. Betwixt Hill of Durn and Arn bath, is a moss now exhausted.

From Portsoy to The Burn of Boyne, to the east, is one mile; which burn (wherein there is plenty of trouts and some salmond) divyde the parish of Fordyce from Boyndy. The parish of Fordyce, from that burn at the sea unto the head thereof at Knockhill, will measure four long myles south and by west. The parish thence goeth about one mile south-west to a house called Tillienought, belonging formerly to the name of Barclay, now to Dunbar, holding of the Earle of Findlater, having The Burn of Boyne about one furlong to the south.

One myle from Tillienought, south-west, ther's a house called Brackenhills, belonging in old to the name of Abercromby, and now to Sir James Gordone of Park, holden feu of the Earle of Findlater. From that, south-west two myles, is a house called Muireaik, belonging to the name of Gordone, holden few of the said Earle, within a myle of Knockhill south west.

The parish goeth from that two myles to the borders of the parish of Deskfoord; and betwixt the two parishes, are great mosses, and the whole parish has plenty of limestone. North west from Muiraik, there is a moss and barren muir; and, from that to the north-east, ther's another moss near exhausted.

From it, north west, is a house called Badinteulle, belonging to Glassah, about one myle from Fordyce, to the north.

The church is six myles north-west from Banff, and two myles south-east from Cullen.<sup>2</sup>

<sup>1</sup> ["There is a triple fosse and rampart on the sides and top of The Hill of Durn, which seem to have quite surrounded it. The highest, which includes the large plain on the top of the hill, seems to have been strong, with a stone rampart or wall, especially at the entry or most accessible part, where it joins The Hill of Fordice. It commands an extensive view of the adjacent country; and probably was used as a retreat for the people, their families, and cattle." (The Statistical Account of Scotland, vol. iii., p. 56.) See also The New Statistical Account of Scotland, number xxxviii., p. 185.]

<sup>2</sup> ["Flint arrow-heads, called by the people *elf arrow-heads*, have been found in this parish. There are the remains of some Druidical temples, likewise barrows or tumuli. Three of the last have been opened within these few years. One very large, between Glassaugh and the sea, immediately above the bay of Sandend, consisted of a great circular accumulation of stones, fourteen feet high, and sixty feet broad, covered with earth or turf. Upon breaking in at the top, there were found a stone coffin of flag or flat stones, and in it the bones of a person lying in their natural order, and a deer's horn. The stones, of which sort there were few in the neighbourhood, seem principally to have been brought from the sea. This barrow is now the site of a windmill. There had been another comparatively very small barrow at about a hundred yards distance from the largest. Another barrow was

Carta Ricardi de Sancto Claro / de terra de Fynleter . <sup>1</sup> (A.D. 1366.)

Dauid Dei gracia . . Rex . . Scottorum / Omnibus *etc.* . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Ricardo de Sancto Claro / totam terram de Fynleter cum pertinentiis infra vicecomitatum de Banf . que fuit Johanne de Fynleter / et quam eadem Johanna nobis apud Dundee ultimo die mensis Julij anno Domini millesimo . ccc<sup>mo</sup> . Sexagesimo Sexto . per fustum et baculum sursum reddidit pureque et simpliciter resignavit / [*etc.*] . Tenendam et habendam dictis Ricardo et Johanne et eorum alteri diucius viuenti hereditibusque inter ipsos legitime procreandis / quibus forte deficientibus hereditibus dicte Johanne legitimis quibuscunque / de nobis et hereditibus nostris in feodo et hereditate per omnes rectas metas [*etc.*] . Reddendo inde nobis annuatim annum redditum de predicta terra debitum / Et faciundo nobis alia seruicia debita et consueta . . In cuius rei *etc.* . Testibus *etc.* . Apud Dundee ultimo die mensis Julij . anno regni nostri Tricesimo . Septimo . .

Carta terrarum de Fynletter et de Greuiscip de Culane . <sup>2</sup> (A.D. 1381.)

Robertus Dei gracia Rex Scottorum *etc.* . Omnibus *etc.* . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse . dilecto scutifero nostro . Ricardo de Sancto Claro . pro suo seruicio nobis impenso et impendendo / terras de Finletter et de le Grieueschip de Culane cum pertinentiis . infra vicecomitatum de Banfe . quocunque iure uel titulo ad nos pertinebant . uel poterant pertinere . Tenendas et habendas dicto

broken up at Kilhillock, in Findlater, some years ago. It was entirely of stones; and in removing them an urn was found, and a stone coffin covering a skeleton. Another tumulus was broken up on the contiguous farm of Brankamentum, where there was found an urn containing ashes: it was very hard and the clay well baked." (The Statistical Account of Scotland, vol. iii., pp. 56, 57.) "A tumulus was opened at Auchmore, in the year 1828, in which was found an earthen urn containing ashes. The urn was placed in a kind of rude coffin, formed of stones. Within a mile of the same place, on the brae of Roseacre, in the immediate vicinity of Portsoy, no fewer than five urns have been found, containing ashes and bones. In the year 1841, there was turned up by the plough, on the farm of Ley, another urn, containing some remains of a similar kind." (The New Statistical Account of Scotland, number xxxviii., p. 186.)]

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 54.]

<sup>2</sup> [From the Registrum Magni Sigilli Regum Scottorum, pp. 157, 176.]

Ricardo . et heredibus suis . de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas / cum omnibus et singulis libertatibus commoditatibus aysiamenis et iustis pertinenciis suis quibuscunque / ad dictas terras spectantibus . seu quoquo modo iuste spectare valentibus in futuro . libere et quiete . Reddendo inde nobis et heredibus nostris / dictus Ricardus et heredes sui . tres libras sex solidos et octo denarios sterlingorum . nomine albe firme apud Fynlettre annuatim . tantum . pro omni alio seruicio exaccione uel demanda . in Festo Pentecostes . si petantur . Ita quod dicte terre cum pertinenciis in vnam integram et liberam baroniam more solito teneantur . In cuius rei *etc* . Testibus *etc* . apud Methfen octauo die Junij . anno regni nostri / vndecimo . .

Carta pro Johanne comite Moraue . <sup>1</sup> (A.D. 1391.)

Robertus Dei gracia Rex Scottorum / Omnibus probis hominibus tocius terre sue clericis et laicis . Salutem . Cum alias per cartam nostram infeodauerimus dilectum fratrem nostrum . Johannem comitem Moraue . et heredes suos in quadraginta libris sterlingorum leuandis et percipiendis de magna custuma nostra burgi de Edynburghe . proporcionaliter ad Festa Pentecostes et Sancti Martini in yeme . pro ipsius fidei et speciali retinencia nobis facta . in pace et in guerra cum consilio suo auxilio et tota potencia sua contra omnes mortales ad terminum vite sue continuandis . Sciatis nos siquidem habitis appunctuacione et tractatu inter nos et eundem in recompensacionem satisfaccionem et defalcacionem viginti librarum summe quadraginta librarum antedictarum . dedisse concessisse et hac presenti carta nostra confirmasse eidem fratri nostro hereditarie omne jus et clameum nobis pertinencia racione escaete vel forisfacture aut alias qualitercumque . in baronia de Deskfurde cum pertinenciis . infra vicecomitatum de Banf / que fuerunt quondam Johannis de Sancto Claro ad cornu positi ut concepimus et defuncti . et in terris de Fynletter . cum pertinenciis . que fuerunt Ricardi de Sancto Claro . infra dictum vicecomitatum . iam ad cornu ut concessimus existentis . Eciam dedimus et concessimus ac transtulimus eidem fratri nostro viginti libras residuas

<sup>1</sup> [From the Registrvm Magni Sigilli Regvm Scottorum, pp. 195, 196.

In a roll of missing charters by King Robert III., is "Carta to Michael M . . . r of ane annual rent furth of Finlater, Netherdull, Pettindreich, Balleyynch, and the town of Perth." (Robertson's Index to the Charters, p. 140.)]

sterlingorum . a burgo nostro de Edynburghe . vsque ad burgum nostrum de Inuernys de magna custuma nostra ibidem leuanda et percipienda proportionaliter ad festa supradicta . Tenenda et habenda dicta jus et clameum nobis pertinencia ut predictum est in dictis terris de Deskfurde et de Fynleter cum pertinenciis ratione escaete siue forisfacture aut alias qualitercunque . et dictas viginti libras ut supra . dicto fratri nostro et heredibus suis de nobis et heredibus nostris in feodo et hereditate in perpetuum . libere quiete plenarie et honorifice . bene et in pace . per seruicia inde debita et consueta . Et si contigerit dictas terras de Deskfurde . et de Fynletter cum pertinenciis . a prefato fratre nostro uel heredibus suis per quoscunque de legitimo processu iuxta iuris ordinem futuris temporibus fore recuperatas vel adquesitas . tunc volumus et concedimus quod dictus frater noster et heredes sui dictas quadraginta libras integras ut superius expressas percipiat et percipiant . de magna custuma burgi nostri de Inuernys [*etc.*] . In cuius rei testimonium presenti carte nostre / nostrum precepimus apponi sigillum . Testibus venerabilibus in Xpo patribus . Waltero et Matheo Sanctiandree et Glasguensis ecclesiarum Episcopis . Roberto de Fif / et de Meneteth . fratre nostro carissimo . Archebaldo de Douglas domino Galwidie consanguineo nostro . comitibus . Jacobo de Douglas domino de Dalketh . Thoma de Erskyne consanguineis nostris dilectis . militibus . et Alexandro de Cocburn de Langtone . custode magni sigilli nostri . Apud Edynburgh . quinto die mensis Aprilis . anno regni nostri Primo .

The Laird of Findlater ratificatioune off Findlater and vtheris . <sup>1</sup> (A.D. 1567.)

In parlamento excellentissime principis Marie Dei gracia Scotorum Regine tento apud Edinburgh decimo sexto die mensis Aprilis anno Domini millesimo quingentesimo sexagesimo septimo per eandem tribus regni statibus presentibus . vltimo die parlamenti . The quhilk day oure Souerane Lady hauing consideratioun that of befoir efter hir Hienes lauchfull and perfyte aige of xxi compleit for mony gud respectis and motives moving hir Hienes thairto grantit and disponit to hir louit James Ogiluye of Findlater all and sindrye the landis and baronyis of Ogiluye Findlater Deskfurde Drunna-keith Auchindoun and Keithmoir with castellis touris fortalices woddis

<sup>1</sup> [From Robertson's Parliamentary Records of Scotland, pp. 761, 762.]

mylnis fischeingis tennentis tenandriis seruice of fre tennentis auduocatioun and donatioun of kirkis and chaipplanriis of the samin respectiue and thair pertinentis being in hir Hienes handis for the tyme throw foirfaltour ordourlie led vpoun vmquhile Johnne Gordoun alias Ogiluye of Deskfurd knycht . And als hir Maiestie presentit the said James in heretable tennent to the baillies of Culane of Brunttoun Vpstracht Styfeild Smythistoun Wodfeild and Tochynell with thair pertinentis / and in heretable tennent to the Abbot and Convent of Kinloss superiouris of the landis of Clochmacreich of the saidis landis with thair pertinentis being in hir Hienes handis be ressoun of the foirfaltour foirsaid as the infestmentis and presentationis respectiue maid thairupoun mair fullelie proportis **THAIRFORE** hir Maiestie now willing that the saidis infestmentis and presentationis / togidder with the infestmentis and sesingis of the saidis superiouris following vpoun the saidis presentationis be sufficient and sure to the said James his airis and assignais in tym cuming / hais / with consent and awyss of the thre estaitis of hir realme in this hir Hienes parliament / ratifiit appreuit and confirmit and be the tenour heirof ratifiis appreis and confirmis the saidis infestments and presentationis respectiue with the infestmentis and sesingis following and past be the saidis superiouris vpoun the saidis presentationis in all and sindrye pointis passis priuilegiis claussis conditionis contenit in the same respectiue . And will and ordinis be the said act that the said James his airis and assignais sall bruke and joiss all and sindrye the foirsaidis landis and baronyis particularlie aboue expressit tennentis tenandriis woddis mylnis fischeingis and vtheris aboue rehersit alsweill haldin of hir Hienes as of the saidis vther superiouris perpetuallie in tyme cuming efter the forme and tenour of the saidis infestmentis respectiue maid to him thairupoun but ony reuocatioun contraditioun or impediment to be maid to him or thame thairin in ony wyss in tyme coming / renunceand quietclamand and dischargeand for hir Hienes and hir successouris all actioun and instance hir Maiestie had hes or may persew aganis the said James his airis and assignais thairanent for now and euir be thir presentis . Quhairfoir hir Maiestie hes ordanit the lordis of articles of this hir parliament to mak ane act of parliament in dew forme heirupoun and als commandis the clerk of register to insert the samin in hir bukeis of parliament with extensioun in maist ample forme . Subscriuit be our said Souerane at hir Palice of Halyrudehouss the xviii day of Aprile the yeir of God i<sup>m</sup> . v<sup>e</sup> . lxxvii . yeiris / and of hir regnne the xxv yeir .

. . Carta capituli Abirdonensis de parco de Garchulle . <sup>1</sup> (A.D. 1361.)

Dauid Dei gracia Rex Scottorum . Omnibus probis hominibus tocus terre sue clericis et laicis salutem . Sciatis nos pro salute anime nostre et antecessorum et successorum nostrorum Regum Scocie / dedisse concessisse et hac presenti carta nostra confirmasse Deo et Beate Marie Virgini de Abirdone necnon venerabili patri in Xpo Alexandro gracia supradicta nunc Episcopo Abirdenensi et capitulo eiusdem ecclesie / totam terram nostram parci Garchulle cum pertinenciis infra vicecomitatum de Banffe / Tenendam et habendam eisdem Episcopo et capitulo in puram et perpetuam elemosynam in augmentatione sustentacionis vnus capellani ad ordinationem et disposicionem predictorum Episcopi et capituli diuina perpetuo celebraturi in ecclesia cathedrali Abirdonensi pro salute anime nostre et animarum antecessorum et predecessorum nostrorum Regum Scocie / adeo libere *etc* . sicut aliqua terra *etc* . liberius quicuius in puram et perpetuam elemosinam conceditur siue datur . In cuius rei *etc* . Testibus *etc* . Apud Abirdene . xij<sup>o</sup> . die Septembris anno regni nostri . xxxiiij<sup>o</sup> .

. Litera eiusdem capituli / super eodem . <sup>2</sup> (A.D. 1361.)

Dauid Dei gracia Rex Scottorum . Omnibus probis hominibus tocus terre sue clericis et laicis . Sciatis quod licet alias dedimus Deo et Beate Marie de Abirden necnon capitulo et collegio canonicorum ibidem Deo seruienti et in perpetuum seruituro / totum parcum nostrum de Galecholle cum pertinenciis infra vicecomitatum de Banffe in puram et perpetuam elemosinam prout in carta nostra super hoc sibi confecta plenius continetur / nostre nichilominus est intencio voluntatis predictoque capitulo et collegio canonicorum concedimus quod hij omnes et singuli qui in dicto parco aut ipsius pertinenciis secare dolare venare cum animalibus pasterare aut iniustis vijs vti / sine ipsius capituli . aut ipsius deputati . licencia presumpserint / amerciamenta siue escaeta eiusdem parci ab antiquo consueta . videlicet sex vaccas . eidem capitulo vel eius ad hoc assignato sine diminutione quacunque persoluent . In cuius rei *etc* . Testibus *etc* . Apud Fo-

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 23.]

<sup>2</sup> [From the Registrum Magni Sigilli Regum Scottorum, pp. 23, 24.]



THE PARISH OF DESKFORD.<sup>1</sup>

A DESCRIPTION OF THE PARISH OF DESKFOORD. BY MR. WILLIAM OGILVY.  
(A.D. M.DCC.XXIV.)<sup>2</sup>



HE church of Deskfoord is situate about the midle of the parish, where stands the mansion house of Deskfoord, belonging to the Earle of Findlater; the church and house built together,<sup>3</sup> (in old said to be a litle convent), standing on a burn, which, at Cullen, is called The Burn of Cullen, but here, The Burn of Deskford.

It hath the church of Cullen to the east, two myles; to the west, the church of Ruthven, three myles; to the south, the church of Grange, four miles; and, to the east, the church of Fordyce.

The Burn of Deskford runneth down the midle of the parish, which is well

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 644.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

"The parish of Deskford was originally a part of the parish of Fordyce, and was included in Cullen when that parish was disjoined from Fordyce; but the precise period when Deskford was erected into a separate parish from Cullen, is not distinctly known. It appears from a decret of stipend for Fordyce, that the union subsisted in the year 1618." (The Statistical Account of Scotland, vol. iv., pp. 358, 359. Edinb. 1792.)]

<sup>3</sup> ["There is no date upon the church: one pew in it bears 1627, another 1630. Close by it is an old castle, called The Tower of Deskford, said to have been built by the Sinclairs, who were the immediate predecessors of the Ogilvies in the property of the lordship of Deskford. It appears to have been a pretty spacious building, in the form of a court; but there now remains only one room's length, vaulted below, with three storeys and a garret. Adjoining to this tower there was formerly a chapel, called St. John's Chapel, upon one of the walls of which there is an inscription, bearing the name of Alexander Ogilvie, with the Ogilvie's arms and motto, and the date of 1551. In an orchard adjoining, there is an ash-tree which measures in girth twenty-four feet five inches and a half: it is called St. John's Tree." (The Statistical Account of Scotland, vol. iv., pp. 361, 362.)]

"The church is a very ancient building, and was evidently erected before the reformation. It is said to have been dedicated to St. John. Beside it, is St. John's Well, the spring or stream supplying which issues almost as it were from beneath the church. Close to St. John's Well is the once stately tree dedicated to the same saint, of which nothing now remains but a very small part of the trunk, hollowed, scathed, and withered, sending forth only one small solitary green branch. Close to the church is the ruin of an old castle, called The Tower of Deskford. The south wall of this building and the north wall of the

planted, and hath plenty of limestone. There are great mosses on both sides of the parish.

About one myle from the church, to the north-east, is a dwelling house, call'd Airdoch, belonging to a vassel to the Earle of Findlater, of the name of Ogilvie.

South from the church one myle, on the said burn of Deskfoord, is a house called Skeith,<sup>1</sup> belonging in old to the name of Abercrumby, now to the Earle of Findlater.

The church is eight myles north-north-west from Banf, and two myles south from Cullen.<sup>2</sup>

church are in immediate contact, and there is reason to think, that there had been a door of communication between the two, and that the church had been the family chapel. The Tower was, till lately, a very prominent and interesting feature in the scenery ; but, owing to the masonry having got into so loose and incohesive a state, as to occasion danger of its being blown down, and overwhelming the church, which it greatly overtopped, it was some years ago pulled down." (The New Statistical Account of Scotland, number xi., pp. 65, 66, 68. Edinb. 1836.)]

<sup>1</sup> ["About a mile to the south of the church, stands the castle of Skeith, of late years become ruinous. It is delightfully situated upon an eminence rising from the burn, having a peep of the sea, and an extensive view of the strath. On each side are waterfalls from the hill, descending between rocks and fertile fields, beautifully interspersed with natural wood. This ruin is a striking object." (The Statistical Account of Scotland, vol. iv., p. 362.) "Of the Castle of Skeith, mentioned in the former Statistical Account, there is now no vestige." (The New Statistical Account, number xi., p. 68.)]

<sup>2</sup> ["On the farm of Inalterie, there are the remains of a very old strong massive building, in one part of which is a deep circular hole, about the diameter of an ordinary draw-well, inclosed by a wall of masonry, rising to a considerable height in the building. Close to it, there is a vault. In the immediate vicinity of this ruin, there was, till lately, a conical artificial eminence, called The Law Hillock, supposed to have been at one time the seat from which justice was distributed : it is now demolished. On the other side of the burn of Deskford, within view of the former, and about half a mile from it, is another hillock, rising to the height of twenty feet, with regularly sloping sides, and flat upon the top, which is of an elliptical shape, about thirty feet by eighteen feet. It is surrounded at the base by a ditch, one part of which forms the bed of a small stream which runs past it, and is called The Ha' Burn, as the hillock is called The Ha' Hillock. There was found, about twenty years ago, on the confines of a farm called Liechestown, the resemblance of a swine's head in brass, of the ordinary size, with a wooden tongue moveable by springs. It was found at a depth of about six feet, in a mossy and knolly piece of ground, upon a bed of clay." (The New Statistical Account of Scotland, number xi., pp. 66, 67, 68.)]

Carta pro Alexandro Senescalli comite Buchanie<sup>1</sup> . (A.D. 1382.)

Robertus Dei gracia Rex Scottorum . Omnibus *etc.* . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto filio nostro Alexandro Senescalli . comiti Buchanie . et Eufamie domine de Rosse . baronias siue dominia de Sky et de Lewes . omnes illas terras in Cathania et Suthirlandia . omnes illas terras infra vicecomitatum de Narne . infra vicecomitatum de Inuirnys . omnes illas terras infra metas Atholie infra vicecomitatum de Perthie . baroniam de Fythkille cum pertinenciis infra vicecomitatum de Fyffe . omnes terras infra Galwydiam . terras de Forgrundtheny et Kynfawnys infra vicecomitatum de Perthie . ac eciam thanagium de Glendovachy et terras de Deskford infra vicecomitatum de Banffe . que fuerunt dicte Eufamie iure hereditarie . et quas eadem Eufamia [*etc.*] mera et spontanea voluntate sua nobis [*etc.*] simpliciter resignauit [*etc.*] . Tenendas et habendas eisdem Alexandro et Eufamie et eorum diucius uiuenti / heredibusque inter ipsos legitime procreandis / quibus forsan deficientibus heredibus dicte Eufamie legitimis quibuscunque . de nobis et heredibus nostris in feodo et hereditate [*etc.*] . Faciendo inde seruicia debita et consueta . In cuius rei [*etc.*] Apud Inuernys . xxv . die Julij . Anno regni nostri duodecimo .

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 165.]

In a roll of missing charters by King Robert I. are "Carta Christino de Ard, militi, the third part lands of Derskfoord, in vicecomitatu de Banff;" "Carta Christino de Ard, militi, the third part of the lands of Ardache, and third part of Skeith, in the barony of Deskford." (Robertson's Index to the Charters, p. 16.) "There are many other Charters I have seen granted by King Robert I. in which Sir Alexander Fraser is stiled Chamberlain of Scotland, particularly in a Grant by that Monarch 'Christino de Forbes, militi, tertiam partem davatae de Ardach, et tertiam partem davatae de Skeith, in baronia de Deskford, *etc.* Testibus Bernardo abbate de Arbroath cancellario nostro; Thoma Ranulphi comite Moraviae, domino Vallis Anandiae et Manniae nepote nostro; Hugone comite de Ross; Waltero senescallo Scotiae; Jacobo domino de Douglass; Alexandro Fraser camerario nostro Scotiae; 27. March, anno regni nostri,' says the King, 'vicesimo' [1325]." (Crawford's Lives of the Officers of State, p. 275.)

In a roll of missing charters by King David II. are "Carta to Ade Butthergask, and his spouse, of the barony of Desforde, Ardache, Skeythis, in vicecomitatu de Banff;" "Carta to John Dun, of the lands of Ardache, and Skeithis, in vicecomitatu de Banff." (Robertson's Index to the Charters, pp. 45, 32, 60, 68.)

"Jhon Syncler lorde of Deskforde" is one of the witnesses to a deed which records that "on Fryday the sextende day of the moneth of August the yher of our Lorde a thowsande

THE PARISH OF ORDIQUHILL.<sup>1</sup>

A DESCRIPTION OF THE PARISH OF ORDEQUHILL. BY MR. WILLIAM OGILVY.  
A.D. M.DCC.XXIV.<sup>2</sup>



RDEQUHILL parish, (in old, about the time of the reformation, ane part of Fordyce parish,) in the shire of Banff, hath to the north-west, the parish of Fordyce; to the south, Abirchirder, or St. Marnoch parish; to the east, the parishes of Banff and Boyndy; and to the west, the parish of Grange, from which it is divided by The Knockhill of Stryla, or Strathila.

The church stands half a myle from The Burn of Boyne, (there called The Burn of Corncairn,) and is six miles distant from the town of Banf, to the west.

The House of Park, the mansion house of Sir James Gordone of Park, baronet, stands about one myle east of the church; five miles, south-west of Banf; and four, south of Cullen.

At a middle distance betwixt the church and the House of Park stands New Park, or Newton of Park, erected into a burgh of barony, in a charter granted to Sir Adam Gordon of Park by King James the Sixth, *anno* M.DC.XVII., with the privilege of a weekly mercat, and seven yearly fairs.

The church was of old but a chappel, dedicated to the Virgin Mary,<sup>3</sup> in the

fowr hundreth and twenty yher in to the kyrke yharde of the chanounry off Rosmarkyng Willyame the Grame the sone and the hayr vmquhil of Henry the Grame" resigned his lands of the barony of Kerdale, in the sheriffdom of Inverness, in the hands of "a nobil lorde and a mighty Thomas Erle of Mureff his ovyr lorde." (*Registrum Episcopatus Moraviensis*, p. 475.) See also as to the lords of Deskfurd, the same register, p. 246; above, pp. 98—100, 102; the *Acta Dominorum Auditorum*, pp. 170, 171, 173; the *Acta Dominorum Concilii*, p. 188.]]

<sup>1</sup> [See *Collections for a History of the Shires of Aberdeen and Banff*, p. 645.]

<sup>2</sup> [From *Macfarlane's Geographical Collections for Scotland*, MSS. Adv. Bibl.]

<sup>3</sup> ["The parish of Ordiquhill was formerly a chapelry in the parish of Fordyoe, where public worship was performed once a month, and seems to have been erected into a separate parish about the year 1622. The church was built about the same time, on the spot where then stood St. Mary's chapel. A well in the parish, dedicated to the Virgin Mary,

parish of Fordyce; wherefor the Earle of Findlater, as patron of Fordyce, is patron of Ordequhill also.

The said whole parish doth now belong to the Gordons of Park, who now represent these of Cairnburrow in Glass. Park was built, *anno* M.D.XXX., by a lady dowager of the Lord Salton Abernethy, who was herself a daughter of Stuart, Earle of Buchan.

was formerly, at certain seasons, much resorted to by the superstitious as well as by the sick." (The Statistical Account of Scotland, vol. vi., pp. 348, 349. Edinb. 1793.)

The general assembly of the church of Scotland, which met at Linlithgow in July, 1608, recommended that, "for remedieing the growth of papistrie," "order be taken with the Pilgrimages, videlicet, The Chappell callit Ordiqhill, and The Chappell of Grace, and to ane well in the bounds of Enzie." (The Booke of the Universall Kirke of Scotland, p. 581. Mr. Peterkin's edit. Edinb. 1839. 8vo.) In July, 1607, one of the parishioners of Rothiemay was accused, before the kirk session, "for passing in pilgrimage to Ordequhill." (Gordon's History of Scots Affairs from M.DC.XXXVI. to M.DC.XLL, vol. i., append. to pref., p. [lii.]) The Chapel of Grace stood on the western bank of the Spey, in the parish of Dundurcus. "The Chappelle of Our Ladye of Grace, in Murray land," writes Father Blackall, "two milles from the Bogge of Gight, had bein of old a very devote place; and many pillgrimages had bein made to it from al the partes in the northe of Scotland; but then ther was nothing standing of it but some brocken walles, which the minister made throw downe within the chappelle, to hinder the people to pray there: a great devotion of their holy Covenant, rebellious both to God and their King! The Ladye Aboyne used to make that pillgrimage every year, so long as she had health to do it; a mater of threttie milles from her owne house, wherof she made two of them afoot, and barefooted, next to the chappell." (Extracts from the Presbytery Book of Strathbogie, pref., p. xv., note. Aberd. 1843.) Pilgrims flocked to the ruined shrine even so lately as the end of the last century. Mr. Lachlan Shaw, writing in the year 1775, says: "in the north end of the parish [of Dundurcus] stood the Chapel of Grace, and near to it the Well of that name, to which multitudes, even from the Western Isles, do still resort, and nothing short of violence can restrain their superstition." (History of the Province of Murray, p. 326. Edinb. 1775. 4to.)

"The only person of eminence in literature whom the parish of Ordiqhill has produced, is Mr. Walter Goodall, author of a defence of Mary Queen of Scots." (The New Statistical Account of Scotland, number xi., p. 81. Edinb. 1836; The Statistical Account of Scotland, vol. vi., p. 352.) "Walter Goodal was the eldest son of John Goodal, a farmer, at Acres of Culfin, by Margaret Taylor, the sister of James Taylor, who was parochial schoolmaster, in Ordiphul. In this parish, Walter was born, about the year 1706. He died on the twenty-eighth of July, 1766." (George Chalmers' Life of Thomas Ruddiman, pp. 127—132. Lond. 1794. 8vo.)]

Carta domini Walrami de Normanuille<sup>1</sup> . (A.D. 1242.)

Alexander . Dei gracia Rex Scottorum . Omnibus probis hominibus tocius terre sue Salutem . Sciant presentes et futuri nos dedisse concessisse et hac carta nostra confirmasse Walramo de Normanuille . militi nostro pro homagio et seruicio suo . terras de Correnrare . Tulichule . Inchefode . Thulihernache . Rune Waltyr in uasto foresti nostri de Banfe . per has diuisas . uidelicet sicut Henricus Prat tunc vicecomes noster de Banfe vna cum aliis probis hominibus patrie de precepto nostro eas perambulauerunt et eidem assignauerunt . scilicet sicut Siketug qui cadit ascendendo de Diueryn inter Rathe . Mackingy et Tolachherene . usque ad diuisas monachorum de Kynlos subtus le Chnoc . Et sic per diuisas monachorum de Dere . Et sic per diuisas de Abberkerdouyr sicut Alanus senescallus tunc iusticiarius noster Scocie eas perambulauit usque ad uadum de Hachendauererhe . Et sic per riuulum ascendendo usque ad maresium de le Mongauai . Et sic extranverso maresij usque ad riuulum descendendo de le Mongauai usque ad uiam quadrigarum . Et sic per illam uiam usque in Diuerne . Et sic Diuerne ascendendo usque ad diuisas inter Rathe Mackyngy et Tholiheryne . Tenendas . et habendas . eidem Walramo de Normanuille . et heredibus suis de nobis et heredibus nostris in feodo et hereditate per predictas diuisas suas . in boscho et plano . in terris et aquis . in pratis et pascuis . in moris et maresiis . in stagnis et molendinis . cum socco et sacca . cum furca et fossa . cum tol et theme . et infangandthefe et cum omnibus aliis iustis pertinenciis et libertatibus ad easdem terras pertinentibus . libere . quiete . plenarie et honorifice . Faciendo inde nobis . et heredibus nostris seruicium quinte partis vnus militis . Testibus . Alexandro Cumyn . Willelmo de Marr . Johanne de Vallibus . Roberto de Meyners . Roberto Byset . Roberto Cumyn . Jacobo de Lascelys . Apud Forfare . Octauo die Aprilis . Anno regni Domini Regis vicesimo Octauo .

Decreitt aganis Currour for the spuiye of the Place of Inchetomoche .<sup>2</sup>  
(10 February, 1492.)

The lordis auditouris decrettis and deliueris that George Currour sone and apperand are to Johnne Currour burges of Banff sall restore deliuer

<sup>1</sup> [From a *facsimile* of the original in the charter chest at Park.]

<sup>2</sup> [From the *Acta Dominorum Auditorum*, p. 161.]

and pay to Issabell laidy Abirnethy in Rothimay thir gudis vndir writtin or the avale of thaim / that is to say / vj oxin price of the pece twa merkis / a hors price xxx schillingis / ane boll of quhete price x schillingis / xij bollis of aitis price of the boll iiij schillingis / quhilkis gudis wer spuilieit and takin fra the said Issabell out of hir Place of Inchetomoch as wes sufficiently preffit before the lordis / And ordinis oure Souerane Lordis lettrez be direct to distrenye the said George his landis and gudis herfore and for thre pundis to the costis and expense of the said Issabell and for xx schillingis to the expensis of the twa witnes that deponit in this actioun. And the said George wes summonde to this actioun oft tymmes callit and nocht comperit .

3

### THE PARISHES OF BANFF AND INVERBOYNDIE, (OR BOYNDIE.)<sup>1</sup>

A DESCRIPTION OF THE PARISH OF BANFF. BY MR. WILLIAM OGILVY.

A.D. M.DCC.XXIV.<sup>2</sup>



HE parish of Banff hath the parish of Boyndy to the west; the parish of Alva to the south-south-east; the parish of King Edward to the south-east; and the parish of Gemrie to the east.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 645—647.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

"The parishes of Banff and Inverboindie continued united till the year 1634, when Mr. Alexander Seton, then minister of Banff, brought an action of valuation and modification of the teinds against the heritors, by which the union was declared void, and each holden to be a separate parish." (The Statistical Account of Scotland, vol. xx., p. 333. Edinb. 1798.) "The boundaries of the two parishes are thus fixed in the decret of disjunction, 1635: 'The said parochine of Banff to have includit thairintill the toune of Banff, with the pendicles of the samyn, as it had of before; and to have adjoyned thairto, out of the said parochine of Inverboyndy, the landis of Ord, Inchdrower, with the pendicles thairof; the lands of Blairshinnoch, Kilbeuchlie, Paddocklaw, and Cullinorttis; the whilk haill landis and parochine lyes on the eist side of the burne of Inverboyndy: And the said parochine of Inverboindie to have includit thairin, as the particular boundis of the parochine of the samyn, the haill landis lyand betwixt the burne of Boyne at the west, the burne of Inverboyndy at the east, the sea on the north, and the landis of Park of Corn-

The church<sup>1</sup> is in the toune of Banff,<sup>2</sup> which is the head burgh of the shyre, standing on the west side of the river of Doveron, where is plenty of salmond, where there are fishings by boats and cruves.

cairn at the south partis.' " (The New Statistical Account of Scotland, number xi., p. 38. Edinb. 1836.)]

<sup>1</sup> [" It appears that the old kirk of Banff, (which was taken down in the year 1797,) was rebuilt by the town-council in the year 1471, when Sir James Ogilvie of Deskford was provost. They endowed a chaplain, with ten merks of stipend, besides a living out of the common fund. Of this edifice there now remains nothing, excepting an ancient vaulted aisle, on the south side, now a burying place of Lord Banff's family. In this aisle is a monument, with the following inscription: 'ANNO DOMINI · 1558 · 29 · NOVEMBRIS · OBIIT · VALTERVS · OGILVY · DE · DVNLVGV · MILES · PREPOSITVS · HVJV · VRIS · ET · HIC · JACET · CVM · ALISONA · HVME · EJV · SPONSA · GEORGIVS · OGILVY · DE · DVNLVGV · HOC · EREXIT · OPVS · IN · HONOREM · DEI · ET · IN · MEMORIAM · SVI · PATRIS · ET · MATRIS · QVORVM · CORPORA · HIC · SEPVLTA · SVNT · REQVIESCANT · IN · PACE · '" (The Statistical Account of Scotland, vol. ix., pp. 383, 335, 341; Wood's Douglas' Peerage of Scotland, vol. i., p. 191.)]

<sup>2</sup> [" *Banffa*.

Banffa juncta mari, parvis tu cedis Hypaepis,  
Nec minor urbs Apinae, Trica nec ipsa fuit.  
Te tamen agnoscit dominam contermina tellus,  
Paret et imperio terra Boëna tuo.  
Nec tibi vel desunt segetes vel pascua laeta,  
Grandia nec solitae lintea ferre rates.  
Te quoque templa Deum decorant, et nobilis aedes  
Virginis Astraeae, Pieridumque domus.  
Proximus est collis, manibus congestus avorum,  
Hic prius, ut perhibent, nil nisi campus erat.  
Hunc mare, dum refuit, Dovernaque ditibus undis  
Alluit, arx ingens culmina summa tegit.  
Hanc coluit Bellona prius, jam sola supersunt  
Rudera, delevit caetera tempus edax.  
Tecta forum juxta Pariis stant fulta columnis,  
Haec habitat priscoe nobilitatis eques.  
Banffa te populus nulli virtute secundus  
Incolit, hoc reliquis praeripit omne decus."

" *In obitum Georgii Ogilvii, Equitis Banffii*.

Vixit Olympiades ter septem Banffius; aetas  
Ter fuit illustri posteritate minor.  
Virtutes numera, paucos liquisse nepotes  
Comperies, paucos evoluisse dies."



To the north of the toune stands the Castle of Banf,<sup>1</sup> depending on the crowne, lately purchased by Lord Deskfoord, a pleasant dwelling house, with a wall, and of old fortified.

To the south-east of it is the church; and a little from that, south-east, an old great house, by way of castle and court, belonging to Lord Banf.<sup>2</sup> Beside which

*" De Carnutio eiusdem filio.*

Hic jacet aequalis meritis Carnutius, annis

Longaevio decies quinque parente minor.

Hic cito, virtutis tulit alter praemia sero,

Nec minus hic vitae, quam fuit ille, fatur."

(Artvri Ionstoni Poemata Omnia, pp. 442, 374. Middelb. Zeland. 1642.)]

<sup>1</sup> [" Part of the ancient wall of the Castle of Banff is yet entire, and the remains of the moat and intrenchments are still visible. Near to the Castle was situated the chaplainry of the Holy Rood. At what period, or by what founder, this chapel was erected, no information can be derived, either from tradition or ancient record. Dr. James Sharp, Archbishop of Saint Andrews, and Primate of Scotland, whose tragical end exhibits a melancholy instance of the furious and misguided zeal of ancient times, was born in the month of May, 1613, in the Castle of Banff. He was the son of Mr. Sharp, sheriff-clerk of Banffshire: his mother was a daughter of the laird of Kininvy. He died with the intrepidity of a hero, and the piety of a Christian, praying for the assassins with his latest breath." (The Statistical Account of Scotland, vol. xx., pp. 343, 371, 372, 375.) " The house where Archbishop Sharp was born, was pulled down about the year 1816. One or two pieces of lettered freestone, taken from it, have been built into the churchyard wall, at the burial ground of the Sharp family." (The New Statistical Account of Scotland, number xi., p. 30.)

In a roll of missing charters by King Robert III. is " Carta to Alexander Keith of Grandoun, of the keeping of the castle of Banff, in vicecomitatu de Banff." (Robertson's Index to the Charters, p. 141.)]

<sup>2</sup> [" About the tyme that the Assembly ended in Aberdeene [August, 1640.], Monro lifted his leagwer, and, leaving Strabogye, marches for Banfe, August tenth, a sea towne about thirteen myles distant from Strabogye, north-easte. The reasone of his going ther was to tacke cowrse with Sir George Ogilvy, (at that tyme called laird of Banfe, though shortly afterward created Lord by the King.) Banfe had been active against the Covenanters, anno 1639; and all this yeare, 1640, had made his residence at cowrt with the King, as some other northerne gentlemen and noblemen did, such as the Lord Ogilvy, Walter Urqhward of Cromby, William Seaton of Shythinn, Sir Gilbert Menezes of Pittfodells, *et cet.* The cittizens of Banfe, for the most part, wer Covenanters; and, albeit in former tymes they depended much upon Banfes familie, who dwelt ordinarlye in their towne, yet now they wer so farr estranged from him, that they were growne his enemyes. The cheif ringleader and agent amongst them for the Covenant was one Dr. Alexander Douglass, a mediciner, who was gott into such credite with his townesmen and with the Covenanters, that in the following yeares he came to be provost of Banfe, oftner then any man ther; as also high sheriff of the shyre of Banfe, and alwayes either a member of parliaments and comittyes of

is a lodging, (the old house not habitable,) with ane fine garden at the end. South-east, is a pleasant dwelling house, of old belonging to Lord Banff, thereafter to the Earle of Airly, now to Braco.

state, bearing great away in thes places for severall yeares afterward: which preferments, (being a wytte man,) he improved much to the enriching of himselfe, and, for the most pairt, (consideringe the tymes,) to the good lycking of all the shyre, except some particular enemyes, who either envyd his rysing or mislycked his wayes, which wer ambiguously spockne of: or because ther was hatred tuixt him and them, for ill offices done to them, and extortiones under colour of justice. This man was thought a maine instrument in bringing Monroe to Banfe, who no sooner came thither, but he sett downe his qwarter in the laird of Banfe his beautifull garden, which was a great ornament to the towne of Banfe, and, being gallantly planted and walled, overshadowd and enclosed the east syde of that towne. The souldiours were no sooner sett downe there, but they fell to macke havocke of all the fruct trees and other trees which grew there in great abundance; leaving not so much as one standing tree, younge nor old, and cutting upp all the hedges to the rootes; in which deformed condition it is yet to be seen as they left it. Adjacent to that garden, in the very heart of that towne, stood Banfes pallace, high built and qwarterly; the structure magnificent, with two base cowrts; and few houses in thes places of Scotland comparable to it. Upon it the souldiours fell next, and, in few dayes, defaced it; leaving neither any covering, glasse, timber, nor iron worke ther; breacking downe the hewed worke, doors, windows, and knocking out the iron barrs of the windows; leaving nothing to be seen but defaced walls, which yet speacke its beautye, as it now standes, lycke ane old rounouse abbey. In this industriouse defacing of so brave a pallace, the souldiours wer helped by the rascalitie of the cittizens and countrey people neerest adjacent, who either bought, stole, or embeasled the materials thereof. It is reported, that when it was told to the Kinge, he said, That for the house it matterd not muche, since expences could sett upp as good ane house againe in short tyme; but, he said, that it was a crwell thing to fall upon the garden, the losse wherof could not in many yeares be repaired, and so much the worse, because it neither had done evill, nor could hurt them; besyde, that it was ane ornament to the toune and countrey. For to sett upp this losse, King Charles in *anno* 1641, gave to Sir George Ogilvye of Banfe ten thousand merkes Scottish in gold, which Banfe brought home with him; yet too little for to repair his losses; but the King could not do better to him at that tyme. And not only was the pallace defaced, but lyckewayes much houshold stuff and spare furniture, which had belonged to Banfe his predecessors, was seised upon and embezled, together with a considerable librarye of bookes which wer ther. After they had defaced his pallace in Banfe, a pairty is directed to a countrey dwelling of his called Inshdrure, lying two miles south-west from Banfe; and it was rifled lyckewayes, August eighteenth, but not so ill handled as his townes dwellinge. Thereafter they goe to another countrey house of his, called Forglen; which is about five myles distant from Banfe, south-west, and stands in sight of Turreff, within a myle therof, upon the water of Doverne; and they search it lyckewayes and rifle it, but to lesse pourpose than the rest; for Banfes servaunts, perceiving how the rest of his dwellings wer used, came in the night tyme, and either did lay upp in secrett places, or carrye away such houshold stuffe as was

In the midle of the town is an Hospital,<sup>1</sup> the Tolbooth, and the Cross, and several good houses in the toun. From which, to the west-south-west, is a house, (one myle from Banff,) called Colleopard, belonging to one called Joss, seated near a large muir, to the north-east, wherein are two lochs without fish. Below which, to the south-east, is a dwelling called Backlay, now belonging to Braico, near Diveran, to the east and south.

From that, one myle south, is a dwelling-house called Inchdruer,<sup>2</sup> belonging to Lord Banff: above which, to the south, are great mosses and muires.

To the north-west of Banff, a quarter of a myle, is a sea toun belonging to Braco, where ther's white fishing; and in the mouth of Diveran, at the toun of Banff, to the north-east, is a harbour for ships.<sup>3</sup>

of most value. All his victwall that could be founde was tackne out of his girnells and givne to the souldiours for to maintaine them, (as at Strabogye,) who mostly sold it at ane under worthe to the poor countrey people about. The reason why his pallace of Banfe was defaced seems to have been the jealousy of the cittizens of Banfe, who supposed that sometyne it might be made use of as a cittadel to overawe their cittye: yet such as yet sees it, and understandes the form of cittadells, know that could not be the true reasone; for it was built for beauty, not for strenth, and not for defence, lett bee offence; for it is scitwated low, and overlooked by the castell and a great pairt of the towne of Banfe, which hangs above it upon the side of a swellinge ground and hille. All the wonder heer is, that, using Banfes house so ill, they should have spared the earle of Airlyes lodging, which is distant and separate from Banfes house only by the lenthe of the formentioned garden interjected betuixt the two houses; for which clemency I can give no reason, but possibly because Argyll was not ther at that tyme." (Gordon's History of Scots Affairs, vol. iii., pp. 251—254.) See also Spalding's History of the Troubles in Scotland, vol. i., pp. 236, 239, 240, 250. Edinb. 1829. 4to.; Sir James Balfour's Annales of Scotland, vol. ii., p. 382. Edinb. 1824. 8vo.

"A few very old persons can yet remember some large massy ruins, standing on the space now occupied by The Plainstones, called The Towers, and known to have been a residence of the Lords Banff." (The New Statistical Account of Scotland, number xi., p. 28.)]

<sup>1</sup> ["Here is a small hospital or bede-house, which affords lodging to eight poor women. It has no other endowment than what is derived from the parochial funds, and the donations of charitable individuals." (The Statistical Account of Scotland, vol. xx., p. 338.)]

<sup>2</sup> ["The Castle of Inchdrewer, on the estate of Lord Banff, is situated on a fine rising ground, about four miles south-west of the town. It is still entire and habitable. By the stile of its architecture, it seems to have been built about the time of King James IV. or King James V. This is the opinion of Captain Grose, who, in his book of Antiquities, has given a correct view of this castle." (The Statistical Account of Scotland, vol. xx., p. 344.) See The New Statistical Account of Scotland, number xi., pp. 30, 31; Carstairs' State-Papers and Letters, pp. 736, 737. Edinb. 1774. 4to.]

<sup>3</sup> ["At Banff there was a convent of Carmelites, or White Friars, consecrated to the

## PRESB. OF FORDYCE—BANFF AND INVERBOYNDIE. 115

A DESCRIPTION OF THE PARISH OF BOYNDY. BY MR. WILLIAM OGILVY.

A.D. M.DCC.XXIV.<sup>1</sup>

THE parish of Boyndy hath Banff to the east ; and the parish of Alva to the south-east ; the parish of Saint Marnoch church to the south ; and the parish of Ordie-whill to the south-west.

The church stands about a quarter of a myle from the sea, on a burn called Burn of Boyndy.<sup>2</sup>

Virgin Mary. The first grant respecting it on record is a Royal charter, dated ‘apud Sconam, primo die Augusti, 1324,’ whereby King Robert I. confirms ‘Deo, Beate Marie Virgini, et religiosis viris Fratribus ordinis de Monte Carmeli, capellam Beate Marie juxta villam de Banff, una cum solo ad eandem capellam pertinente, ad edificandum ibidem ecclesiam et alios domos sui ordinis, et ad inhabitandum dictum locum cum Fratribus ejusdem ordinis, prout a summo pontifice eiusdem Fratribus specialiter est concessum.’ The charter farther proceeds : ‘ Preterea damus et concedimus et hac presenti carta nostra confirmamus Fratribus ibidem Deo servantibus et perpetuo servituris, illam davatam terre cum pertinentiis que ad dictam capellam ante presentem collationem nostram pertinere solebat, ad inveniendum panem, vinum, et ceram ad cultum Dei ibidem devotius exercendum.’ The ‘davata terre’ is the plain called The Dawhaugh, on which Duff house stands.” (The Statistical Account of Scotland, vol. xx., p. 339 ; The New Statistical Account of Scotland, number xi., p. 27.)

In a roll of missing charters by King Robert I. is “ Carta of ane foundation of ane chaple, near Bamf, in vicecomitatu de Bamff.” (Robertson’s Index to the Charters, p. 22.)

“ Some years ago, in levelling a small hillock on the farm of Poddocklaw, a stone coffin or case was found, inclosing a vase of baked earth, in which were some ashes and fragments of bones. In a *tumulus* dug into on a neighbouring farm, several such vases were found, placed on a sort of stone bench, supported on blocks. On this bench some of the vases were inverted ; others had a flat stone on the top ; the whole being covered over with earth.” (The New Statistical Account of Scotland, number xi., p. 31.)]

<sup>1</sup> [From Macfarlane’s Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>2</sup> [“ The ancient name of the parish was Inverboindie, *id est*, The Mouth of the Boindie ; the old church, now in ruins, (having been abandoned in the year 1773,) being situated near the point at which the small stream of that name falls into the sea. The patron saint of the parish was St. Brandon. His festival was held on the sixteenth of May. Brandon Fair, now held in Banff, but formerly, it is understood, in ‘ Brannan How,’ near the old church, takes place on the twenty-sixth of May, new style. On a rising ground, on the farm of Bankhead, known by the name of the Lodgehills, are to be seen a number of large stones, called ‘ The Brannan Stanes.’ Under one of these, an urn, containing coins, said to have been much defaced, was found a number of years ago.” (The New Statistical Account of Scotland, number xxxviii., pp. 220, 224, 225, 239.) “ 16. die mensis Maij. Sanctus Bran-

From the church to the westward, a quarter of a mile, is a house called Buch-raiggy,<sup>1</sup> belonging in old to the laird of Boyne, now to the Earle of Findlater. There is a sea town north from the church, one myle, called Whitehills, where there's great fishing and many boats.

The parish from that goeth three myles by the sea, to the north west, to the House of Boyne, in old call'd Craig of Boyne, belonging to the lairds of Boyne, now to the Earle of Findlater, standing on The Burn of Boyne, to the west, about half a mile from the sea. The burn runneth north-east to the sea, where are the ruins of the Old House of Boyne, on a rock.<sup>2</sup>

danus Abbas apostolus Orcadum et Scoticarum insularum, qui cum puer esset Herci episcopi viri doctissimi lateri semper adhaesit, a quo purioris literaturae rudimenta percepit : grandior deinde factus monachatum suscepit. Tantam vero discipulorum suarum manuum laboribus victitantium multitudinem collegit, vt trium millium monachorum diceretur abbas, multaque ad monasticam vitam spectantia ex ore Angeli suscepta composuisse dicitur. Patrem habuit Finlug : mater vero dicta est Cara, quae nocte quadam somniauit sinum suum auro obriso plenum esse, suasque mamillas ardere, et ingenti luce splendere : quod cum marito suo indicaret, episcopo Herco referre ipse curauit, qui mysterium somnij intelligens, dixit, ' Finlug, vxor tua pariet tibi filium potentia quidem magnum, sanctitate vero illustrem, vnde te rogo vt mihi illum tradas ad nutriendum : ' quod factum est, adhaesit enim, vt diximus, sancto Episcopo. In festo vno Sancti Petri apostoli videns Sanctus Brandanus piscium innumeram multitudinem, iussit eos Deum laudare, qui super vndas enatantes vocibus intonare coeperunt. Alio tempore ferebatur ad sepulchrum iuuenis, parentibus et cognatis miserabiliter eum plangentibus, quorum lamentis compatiens vir sanctus, pietate plenus, ad loculum accedens orauit, et qui mortuus fuerat reuixit. De eo vide Fasciculum Temporum in sexta aetate ; Vuionem ; lib. 3. Ligni Vitae ; Breuiarium Aberdonense ; Sconensia Chronica ; Petrum de Natalibus ; et alios." (D. Camerarii de Scotorvm Fortitvdine, pp. 144, 145.) See also Collections for a History of the Shires of Aberdeen and Banff, pp. 646, 647 ; Butler's Lives of the Saints, vol. i., pp. 633, 634.]

<sup>1</sup> [" Ogilvies possessed the estates of Baldavie, Culfin, and Buchragie. The foundation of the mansion house of the last family, with the garden adjoining, may be traced on the rocky eminence to the west of the old church." (The New Statistical Account of Scotland, number xxxviii., p. 229.)]

<sup>2</sup> [" The House or Castle of Boyn, on the Boyn water, near its junction with the sea, is still standing, and, as a ruin, is tolerably entire. It was dilapidated about or soon after the middle of the last century, when the roof was removed, and the hewn stones used for buildings in the parish. It exhibits the remains of considerable beauty and magnificence : in front may be traced a double row of gardens and terraces, with flights of stairs. The ruins of a more ancient residence and place of strength, are still to be observed, situated on the west side of the burn, on a precipitous rock by the brink of the sea, below the mansion, to which it had given place." (The New Statistical Account of Scotland, number xxxviii., pp. 228, 229.)]

From the burn mouth, the parish goeth three myles south and by west. At the House of Boyne, is a publick house, called Scots Miln of Boyne. There's a bridge on the said burn of one arch.

Two myles from that, is a dwelling place belonging in old to the name of Ogilvy, now to the Earle of Findlater, call'd Bankhead: the old house is demolished.

A quarter of a myle from The Burn of Boyne to the west, and from that to the south-west a lyke distance from the burn, is a house called Culphin, formerly depending on the laird of Boyne, now belonging to the Earle of Findlater: but it is now demolished. Above that are great mosses, and a large moor, to the east; the mosses, south and west. From which, half a mile, is a dwelling-house, called Blairmad, belonging in old to the name of Gordone, (the house now demolished,) and now to the Earle of Findlater.

Bordering with that land, half a mile, is a dwelling-house, and small baronie, belonging now to Rothemay, called Baldavie<sup>1</sup> before and now, of the name of Ogilvy, standing on The Burn of Boyndy, south-east. South-west from that, is a dwelling-house, belonging to the name of Stewart, call'd Ordnies,<sup>2</sup> hard by the house of Baldavy. Ordnes depends on the Earle of Findlater now, formerly belonging to the laird of Boyne.

From that to the north-east, is a dwelling place called Cairntowne, belonging lately to the name of Hacket, now to the Earle of Findlater. North-east, one myle from Ordnies, south from Cairntowne, is, to the east-south-east, a barren muir, wherein is an old moss, one myle from a dwelling called Reatie, long since belonging to the name of Dun, now to the Earle of Findlater, standing near The Burn of Boyndy, to the south-east. From that is a barren muir, one myle, called Dallachy, belonging to the Earle of Findlater. There is a great deal of lymestone in that land, and in most places in the parish of Boyndy.

Below Dallachie, to the south-east one furlong, is a litle loch without fish; and from that, half a myle north-east, is a barren muir, wherein are two lochs without fish.

<sup>1</sup> [On the ninth of March, 1491, there was an "accioune and cause persewit befor the lordis of consale be Walter Ogilby of Bone aganis Andro Innes in Baldavy ffor the wrangwis occupacioune lawborin and manurin of the landis of Baldavy witht the pertinentis and for the wrangwis vptakin and withaldin of the proffitis and dewiteis of the sammyn of twa yeris bigain." (*Acta Dominorum Concilii*, p. 175.)]

<sup>2</sup> [In a roll of missing charters by King Robert I. are "Carta to Andrew Clark, of the landis of Ordia, infra tenementum de Moubre, in vicecomitatu de Banffe"; "Carta to Gilbert Chalmer, the lands of Moubreis, or Ward land, in vicecomitatu de Banffe." (*Robertson's Index to the Charters*, p. 16.)]

The church of Boyndie stands one myle north-west from Banf.<sup>1</sup>

In the middle of the parishes of Boyndy and Fordyce, there's the marks of ane old stone dyke, divyding The Boyne in Thaindome, so called, (lying towards the sea to the north and east), and The Forest of Boyne, (lying south and west). The Thaindome belonged of old to the lairds of Boyne: The Forest, to an old family of the name of Hay, lord Forest of Boyne, now extinct. The heiress of which family, long since, was married to Huntly; by which marriage the Earle of Huntly got The Forest of Boyne, as yet holding of Huntly, and the lands of Einzie in Banffshire, bordering with the Earle of Findlater, with the house lately called Bogue of Geith, now Gordone Castle. That estate, which came to Huntly by the marriage above named, yields about fourty thousand merks yeerly. Gordone Castle is eight myles west from Cullen; and Cullen is from Banf to the north-east eight myles, keeping the King's highway.

<sup>1</sup> ["To the west of the old church, on the rocky eminences on the north side of the road, two circular encampments may still be traced. Immediately below the upper one, on the southern declivity, stands a large perpendicular stone, surrounded by a causeway. A little beyond this, on the opposite side of the road, not far from the site of the old mansion house of Buchragie, may be traced the huge remains of what may have been a camp. A short Roman sword was found in the bogs of Reattie. In the immediate neighbourhood of the manse offices, on the west side, a stone coffin was found a number of years ago. Three Druidical circles are in the parish: one, near the parish church; another, within a mile to the north-east; and a third, on the farm of Bankhead. Near the north-east corner of the wood of Whyntie is an artificial mound, known by the name of The Gallows Cairn. On the farm of Dallachy, below the old road, five or six urns, containing the remains of bones, were found a few years ago. They were of rude construction, except one, which is said to have been well shaped, ornamented with diagonal lines crossing each other, and surmounted by a lid and handle. The adjoining houses were built on a reputed Elf hillock. Another similar urn was found a few years ago at the base of a small circular mound, at the lower extremity of the plantation extending from Craig-herbs to the turnpike road." (The New Statistical Account of Scotland, number xxxviii., pp. 225, 226.)

"The parish had the honour of giving birth to Thomas Ruddiman, the eminent Latin grammarian. Here also was born a personage whose fame is of a different character, Mrs. Buchan, the founder of a religious sect in the west of Scotland." (*Ibid.*)

"The county of Banff, and the parish of Boyndie, have the credit of Ruddiman's birth. In October, 1674, he was born on the farm of Raggel, in the barony of Baldavy. Margaret Simpson, his mother, was the daughter of Andrew Simpson, who occupied the farm of Little Ratie in the same parish. His father was James Ruddiman, who was born in the parish of Alva, but removed to the farm of Raggel, which was the property of Mr. Ogilvy of Baldavy. James Ruddiman was long remembered for his agricultural knowledge, as a farmer, and for his seasonable charity, as a neighbour. When he heard of the demise of

Carta Regis Willelmi de ecclesiis de Inuerbondyn . et de Banef . <sup>1</sup>  
(A.D. 1211—A.D. 1214.)

Willelmus Dei gracia Rex Scottorum . Episcopis . Abbatibus . Comitibus . Baronibus . Justiciariis . Vicecomitibus . Prepositis . Ministris et omnibus probis hominibus tocius terre sue . clericis et laicis . Salutem . Sciant presentes et futuri me dedisse . et concessisse . et hac carta mea confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbrocht . et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuerbondyn . et ecclesiam de Banef . cum terris et decimis . et oblacionibus omnimodis . et cum omnibus aliis ad predictam ecclesiam de Inuerbondyn . et ad ecclesiam de Banef . juste pertinentibus . Tenendas in liberam . et puram . et perpetuam elemosinam . ita libere et quiete . plenarie et honorifice . sicut alias ecclesias suas . aut aliquod ecclesiasticum beneficium . liberius et quiecius . plenius et honorificentius . tenent et possident . Testibus . Willelmo de Bosco cancellario meo . Philippo de Valoniis camerario meo . Philippo de Mubray . Waltero de Lindesai . Willelmo de Valoniis . Johanne de Maccuswell . Jordano Cumyn . Waltero Cumyn . Hereberto de Camera . magistro Martino et magistro Radulpho medicis meis . Apud Travequeir . xix<sup>o</sup> . die Januarij .

Confirmacio Mathei Episcopi Aberdonensis de omnibus ecclesiis Aberdonensibus quas tunc habuimus . <sup>1</sup> (A.D. 1178—A.D. 1199.)

Uniuersis sancte matris ecclesie filiis Matheus Dei gracia Aberdonensis ecclesie minister humilis . Salutem . Sciant presentes et futuri nos dedisse . et concessisse . et hac carta nostra confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbroth et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuerbondyn . et ecclesiam de Banef . et ecclesiam de Fyuy . et ecclesiam de Banchorin Tarnyn . et ecclesiam de Gameryn cum capella de Trub . et ecclesiam de Tarueis cum capella de Fuchull . cum terris et decimis et obuencionibus ecclesiasticis . et

King Charles II. he shed many tears. Such was the attachment to monarchy, which twenty years of anarchial fanaticism had begotten in the nation! His son, Thomas, remembered that burst of his father's loyalty ever after with a liveliness, which may perhaps have influenced his future conduct." (George Chalmers' *Life of Thomas Ruddiman*, pp. 2, 3.)]

<sup>1</sup> [From the *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Adv. Bibl.]



omnibus aliis rectitudinibus . ad easdem ecclesias iuste pertinentibus .  
 Quare uolumus et concedimus ut prefati monachi prenomatas ecclesias  
 cum capellis et iustis pertinenciis ita libere et quiete . plenarie et hono-  
 rifice . teneant ac possideant . sicut aliqui monachi in toto regno Scocie  
 aliquas ecclesias liberius et quocius plenius et honorificencius tenent et  
 possident . Saluis Episcopalibus . Concedimus eciam eis earundem eccle-  
 siarum beneficia in proprios usus conuertere et capellanos instituere .  
 Testibus . Symone archidiacono . Rogero decano . magistris Wil-  
 lelmo . Waltero . Roberto . Galfrido . Andrea . Matheo capellanis .  
 Michaelae . Matheo . Willelmo . Mauricio clericis nostris . Willelmo  
 persona de Aberden . Hugone de Bennef . Roberto de Ramsei . Wil-  
 lelmo de Tatenel . Willelmo filio Hugonis . Gilberto filio Gocelini de  
 Aberden . Matheo persona de Aberdour . Henrico persona de Kynedor .

Confirmacio Johannis Episcopi Aberdonensis de omnibus ecclesiis . <sup>1</sup> (A.D.  
 1199—A.D. 1207.)

Uniuersis sancte matris ecclesie filiis . Johannes Dei gracia Aberdon-  
 ensis ecclesie minister humilis . Salutem . Sciant presentes et futuri nos  
 dedisse et concessisse . et hac carta nostra confirmasse . Deo et ecclesie  
 Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruienti-  
 bus et seruituris . ecclesiam de Inuerbondin . et ecclesiam de Banef . et  
 ecclesiam de Fyvyn . et ecclesiam de Banchory Tarnyn . et ecclesiam de  
 Gameryn cum capella de Trub . et ecclesiam de Tarveis cum capella de  
 Fuchull . et ecclesiam de Cule . cum terris et decimis et obuencionibus  
 ecclesiasticis . et omnibus aliis rectitudinibus ad easdem ecclesias iuste  
 pertinentibus . Quare uolumus et concedimus ut prefati monachi preno-  
 minatas ecclesias cum capellis et iustis pertinenciis ita libere et quiete .  
 plenarie et honorifice . teneant et possideant . sicut aliqui monachi in  
 toto regno Scocie aliquas ecclesias liberius . quocius . plenius . et hono-  
 rificencius . tenent et possident . Saluis Episcopalibus . Concedimus  
 eciam eis earundem ecclesiarum beneficia in proprios vsus conuertere . et  
 capellanos instituere . Et precipimus archidiacono et officiali nostris vt  
 cum capellani uel clerici prenomatarum ecclesiarum decesserint non im-  
 pediant alios . quos ipsi monachi presentauerint . in eisdem ecclesiis libere  
 et pacifice ministrare . Testibus . Symone archidiacono . Roberto de-

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

cano . Galtero . Willelmo . Johanne . Matheo capellanis . Willelmo persona de Aberdone . Matheo fratre eius . magistro Omero . et Mauricio clericis nostris . Willelmo filio Hugonis . Gilberto filio Gocelini de Abirdene . Matheo persona de Aberdouer . Henrico persona de Kenidor .

Confirmacio Ade Episcopi Aberdonensis de omnibus ecclesiis . <sup>1</sup> (A.D. 1207—A.D. 1228.)

Uniuersis sancte matris ecclesie filiis . Adam . Dei gracia Abirdonensis Episcopus . Salutem . Sciant presentes et futuri nos dedisse . et concessisse . et hac presenti carta nostra confirmasse . Deo . et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuerbondin . ecclesiam de Banef . et ecclesiam de Fyryn . et ecclesiam de Banchri Tarny . et ecclesiam de Gameryn cum capella de Trub . et ecclesiam de Tarueis cum capella de Fuchull . et ecclesiam de Cule . et ecclesiam de Inuerugyn cum capella de Fethiramus . et ecclesiam de Kinernyn . et ecclesiam de Turuered . et ecclesiam de Forglint . cum terris et decimis et omnibus obuencionibus et omnibus aliis rectitudinibus ad easdem ecclesias iuste pertinentibus . Quare uolumus et concedimus vt prefati monachi prenomintas ecclesias cum capellis et omnibus iustis pertinenciis ita libere et quiete . plenarie et honorifice . teneant et possideant sicut aliqui monachi in toto regno Scocie aliquas ecclesias liberius quocius plenius et honorificencius tenent et possident . Concedimus eciam eis earundem ecclesiarum beneficia in vsu proprios conuertere et pacifice possidere . Saluis Episcopalibus . Hiis testibus . Magistro Omero archidiacono nostro . Alexandro decano nostro . Magistro Willelmo . Johanne de Kalledour . Ricardo de Buchan . et Roberto clericis nostris . Johanne . et Johanne . Reginaldo . Matheo . Ricardo . et Petro capellanis .

Confirmacio Gilberti Episcopi Aberdonensis de omnibus ecclesijs . <sup>1</sup> (A.D. 1228—A.D. 1239.)

Uniuersis sancte matris ecclesie filijs . Gilbertus Dei gracia Aberdonensis ecclesie minister humilis . eternam in Domino salutem . Nouerit vniuersitas vestra nos virorum venerabilium bone memorie . M . J .

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

et . A . diuina permissione Aberdonensis ecclesie Episcoporum predecessorum nostrorum vestigijs inherentes . concessisse et hac carta nostra confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuerbondin . ecclesiam de Banef . ecclesiam de Fyvyn . ecclesiam de Banchri Tarnyn . ecclesiam de Gameryn . ecclesiam de Tarueis . ecclesiam de Cule in Marr . ecclesiam de Inuerugy . ecclesiam de Kinernyn . ecclesiam de Forglint . et ecclesiam de Buthelny . cum terris et decimis . et omnibus obuencionibus . et omnibus alijs rectitudinibus . ad easdem ecclesias iuste pertinentibus . Quare volumus . et concedimus . ut prefati monachi prenomintas ecclesias cum capellis et omnibus iustis pertinencijs ita libere et quiete . plenarie et honorifice . teneant et possideant . sicut aliqui monachi in toto regno aliquas ecclesias liberius quociens . plenius et honorificentius . tenent et possident . Concedimus etiam eis earundem ecclesiarum beneficia in usus proprios conuertere . et pacifice possidere . Saluis Episcopalibus . Hijs testibus . Domino . J . abbate de Lundors . Domino Malcolmo archidiacono nostro . Magistro Alexandro decano nostro . Magistro Willelmo thesaurario . Johanne decano de Buchan . Domino Jordano capellano nostro . Symone de Strivelyn . et Johanne clericis nostris . et multis alijs .

Confirmacio capituli Aberdonensis de omnibus ecclesiis .<sup>1</sup> (A.D. 1239—A.D. 1247.)

Uniuersis sancte matris ecclesie filiis . Capitulum ecclesie Aberdonensis . eternam in Domino salutem . Nouerit uniuersitas vestra nos ratas et gratas habere rationabiles donaciones concessionones et confirmaciones . venerabilium patrum nostrorum in Christo bone memorie . Mathei . Johannis . Ade . et Gilberti . episcoporum Aberdonensis ecclesie . factas Deo et ecclesie Sancti Thome Martiris de Abirbroth et monachis ibidem Deo seruientibus et seruituris . ecclesiarum . videlicet . de Inuerbondin . de Banef . de Fyvyn . de Banchri Tarnyn . et de Gameryn cum capella de Trub . et de Tarueis cum capella de Fuchull . et de Cule in Marr . et Inuerugyn cum capella de Fethiranus . et de Kinernyn . et de Forglint . et de Buthelny . in puram et perpetuam elemosinam . cum terris et decimis et obuencionibus ecclesiasticis et omnibus alijs rectitudinibus ad predictas

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

ecclesias iuste pertinentibus . Et eisdem rationabilibus donacionibus et concessionibus et confirmacionibus . sicut in eorum scriptis auctenticis liberius quocius plenius et honorificencius continetur . nostrum in omnibus prebere assensum et fauorem vt rate et inconcusse teneantur in perpetuum . Et in huius rei testimonium robur et securitatem in posterum presenti scripto sigillum ecclesie nostre dignum duximus apponendum .  
Teste capitulo nostro .

Confirmacio Radulfi Episcopi Aberdonensis de omnibus ecclesiis . <sup>1</sup> (A.D. 1239—A.D. 1247.)

Uniuersis sancte matris ecclesie filiis . Radulfus Dei gracia Aberdonensis ecclesie minister humilis . eternam in Domino salutem . Nouerit universitas vestra nos virorum venerabilium bone memorie . M . et . J . et . A . et . G . diuina permissione Aberdonensis ecclesie episcoporum . predecessorum nostrorum . vestigiis inherentes . concessisse et hac carta nostra confirmasse . Deo . et ecclesie Sancti Thome Martiris de Abirbroth . et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuerbondin . ecclesiam de Banef . ecclesiam de Fyvyn . ecclesiam de Banchri Tarnyn . ecclesiam de Gameryn . ecclesiam de Tarveis . ecclesiam de Cule in Marr . ecclesiam de Inuerugyn . ecclesiam de Kinernyn . ecclesiam de Forglint . et ecclesiam de Buthelny . cum terris et decimis omnimodis . et obuencionibus ecclesiasticis . et omnibus aliis rectitudinibus ad easdem ecclesias iuste pertinentibus . Quare volumus et concedimus ut prefati monachi prenominatas ecclesias . cum capellis et omnibus iustis pertinenciis suis . ita libere et quiete . plenarie et honorifice . teneant et possideant . sicut aliqui monachi in toto regno Scocie aliquas ecclesias liberius quocius plenius et honorificencius . tenent et possident . Concedimus eciam eis earundem ecclesiarum beneficia in usus proprios conuertere . et pacifice possidere . sicut in cartis predecessorum nostrorum melius et plenius continetur . Saluis Episcopalis . Hiis testibus . dompno . J . abbate de Lundors . domino Malcolmo archidiacono nostro . magistro Roberto decano . magistro Willelmo thesaurario . domino Jordano cantore . magistro Hugone de Boscho . magistro Ricardo officiali . magistro Willelmo de Boscho . domino Stephano clerico et senescallo nostro . domino Johanne de Soltre capel-

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

lano nostro . Philippo . Andrea . et Henrico de Hayrun . clericis nostris . et aliis .

Inuerbundy terrarum assedacio / cum brasina et decima alborum piscium / Willelmo Pyper concessa .<sup>1</sup> (A.D. 1458.)

Universis pateat per presentes nos Malcomum permissione divina Abbatem monasterij Sancti Thome Martiris de Abbirbrothoc / cum consensu et assensu tocius capituli nostri / assedasse et ad firmam dimisisse . Willelmo Pyper . totas et integras terras nostras de Inuerbundy / cum decimis garbalibus omnimodis et decimis alborum piscium / cum terra et libertate brasine cum pertinenciis . pro toto tempore vite sue / sic quod dictus Willelmus unum bonum et sufficiens molendinum infra unum annum post introitum suum in dicta assedacione nobis in terra nostra predicta sumptibus suis et expensis suis libere edificet . quod quidem molendinum durante termino supradicto in omnibus necessariis sustentabit . Tempore vero introitus dicti Willelmi in dictis terris et decimis incipiente ad Festum Pentecostes datam presencium proximo et immediate sequens / sine ulteriori dilacione quacunque . Solvendo inde annuatim dictus Willelmus nobis et successoribus nostris durante termino supradicto / pro dictis terris decimis libertate et molendino / quatuor libras usualis monete regni Scocie . ad duos anni terminos consuetos / scilicet ad Festa Pentecostes et Sancti Martini in yeme / per equales porciones / una cum oneribus husbandorum . Nec licebit prefato Willelmo predictas terras cum pertinenciis alicui persone assedare vel ad firmam dimittere sine licencia nostra speciali super hoc petita et optenta / cotarijs duntaxat exceptis . Et si predictus Willelmus in solucione prescripte summe tardus fuerit aut male persolvens / vel eciam nobis aut nostris husbandis seu officiariis ineptus rebellis injuriosus aut inobediens / licebit nobis et successoribus nostris de predictis terris et decimis cum pertinenciis libere disponere pro libito nostre voluntatis / assedacione predicta in aliquo non obstante . Preterea volumus quod predictus Willelmus construat mansionem suam in terra nostra antedicta et ibidem pro toto tempore vite maneat / relinquendo post decessum nobis et successoribus nostris molendinum et mansionem sufficientia . Volumus eciam quod Andreas Curroure gaudeat assedacione quam de nobis habet de terris antedictis pro tempore sue arrendacionis . Et nos prefatus Abbas

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

et conventus et successores nostri prefatam assedacionem predicto Willelmo factam durante termino supradicto varantizabimus et iudice defendemus . In cuius rei testimonium sigillum commune capituli nostri presentibus est appensum / Apud monasterium nostrum predictum . vicesimo die mensis Februarij . Anno Domini millesimo quadringentesimo quinquagesimo Septimo .

Assedacio decimarum garbaliū ecclesiarum de Banff et Inuerbunde Jacobo Ogilvy de Deskfurde militi heredibus suis et assignatis .<sup>1</sup> (A.D. 1484.)

Universis pateat per presentes nos David permissione divina Abbatem monasterij Sancti Thome Martiris de Abbirbrocht ordinis Sancti Benedicti Sancti Andree diocesis et ejusdem loci conventum / vnanimi consensu et assensu [etc.] . arrendasse et ad firmam dimisisse . honorabili viro Jacobo Ogilvy de Deskfurde militi / heredibus suis et assignatis / ita quod assignatus seu assignati sint proles de corpore suo genite sive fratres germani / omnes et singulas decimas garbales ecclesiarum nostrarum de Banffe et Inuerbundye cum pertinenciis / decimis tamen de Inuerquhen-tyne Ardbangane et Dullochue exceptis / pro terminis septemdecim annorum vicissim et integre complendorum . Termino vero introitus dicti Domini Jacobi heredum seu assignatorum suorum predictorum / in perceptione et levacione decimarum garbaliū ecclesiarum nostrarum prescriptarum / incipiente in Festo Sancti Petri / quod dicitur Ad Vincula / datam presencium immediate sequente / Et sic continuando similiter et vicissim de anno in annum usque ad exitum septemdecim annorum prescriptorum inconcussae . Solvendo inde annuatim dictus Dominus Jacobus heredes sui et assignati predicti / nobis et successoribus nostris durantibus terminis prenomminatis / quadraginta quatuor libras usualis monete regni Scocie ad duos anni terminos / Festa videlicet Pentecostes et Sancti Petri quod dicitur Ad Vincula / vel infra viginti dies hujusmodi terminos sequentes / proporcionabiliter per equales medias porciones infra dictum nostrum monasterium de Abbirbrocht sine ulteriori dilacione fraude et dolo quibuscunque . Et si contingat dictum Dominum Jacobum heredes suos seu assignatos prescriptos in solucione dicte summe ad terminos diem et locum prenomminatos annuatim durantibus dictis septemdecim annis nobis et successoribus nostris deficere / quod absit / licitum erit nobis et successoribus nostris de dictis nostris decimis ecclesiarum nostrarum predictarum exceptis prius exceptis

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

ad nostre libitum voluntatis disponere et ad firmam dimittere cuicunque alteri / ista assedacione in aliquo non obstante . Quam vero arrendacionem dictarum decimarum garbaliū cum pertinenciis [etc.] dicto Domino Jacobo heredibus suis et assignatis predictis in omnibus et per omnia ut supra dictum est / nos et successores nostri varantizabimus et ut jura requirunt defendemus . In cujus rei testimonium sigillum commune capituli nostri presentibus est appensum / una cum roboracione nostrarum subscripcionum manualium / Apud dictum monasterium . vicesimo . v<sup>to</sup> . die mensis Novembris . anno Domini . 1484 .

Presentacio ecclesie parrochialis de Banff cum vacare contigerit . <sup>1</sup> (A.D. 1493.)

Reverendo in Cristo patri et domino Domino Willelmo episcopo Aberdonensi / vestri devoti David abbas de Abbirbrocht et ejusdem loci conventus / reverencias humiles cum honore . Ad vicariam perpetuam ecclesie parrochialis de Banf / cum vacare contigerit de consensu et assensu magistri Duncani Scherar ultimi presentati nostri et vicarii ejusdem via pure et simplicis resignacionis sue / cujus ad nos presentacio et ad vos collacio de jure pertinere dinoscitur . discretum virum dominum Arthurum Elphinston presbiterum paternitati vestre reverende presentamus . eandem exhortando rogantes quatinus dicto Domino Arthuro presentato nostro collacionem ordinariam de predicta vicaria cum suis justis pertinenciis / cum ut premittitur vacare contigerit / conferre et alia que vobis ex officio incumbunt facere dignemini . contradictores si qui fuerint censura ecclesiastica arcius compescendo . Datum sub sigillo capituli nostri apud idem capitulum . xxij<sup>o</sup> . die mensis Septembris in anno Domini millesimo cccc<sup>mo</sup> nonagesimo tercio .

Ecclesia parrochialis de Banff presentatur domino Thome Pratt . <sup>1</sup> (A.D. 1497.)

Reverendo in Christo patri ac domino Domino Willelmo Dei et Apostolice sedis gracia episcopo Aberdonensi / sui humiles et devoti David permissione divina abbas monasterij de Abbirbrocht et ejusdem loci conventus ordinis Sancti Benedicti Sancti Andree diocesis . reverencias debitas et honores . Ad vicariam perpetuam ecclesie parrochialis de Banff diocesis vestre Abbirondonensis / cum vacare contigerit per resignacionem

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

sive dimissionem discreti viri magistri Bernardi Gargil ultimi possessoris ejusdem / ad nostram presentacionem vestramque collacionem pleno jure spectantem . discretum virum dominum Thomam Prat presbiterum Sancti Andree diocesis . animo non variandi vobis tenore presencium presentamus . humiliter supplicantes quatenus eundem Dominum Thomam nostrum presentatum ad dictam vicariam / cum illa sic ut premittitur vacare contigerit / recipiatis et admittatis eandemque sibi conferatis / ac ipsum vel procuratorem suum ejus nomine in realem actuaalem et corporalem possessionem ejusdem inducatis et instituatis / inductumque et institutum canonicè defendatis / sibi et procuratoribus suis de universis et singulis fructibus redditibus proventibus juribus obventionibus et universis pertinentiis dicte vicarie faciendo integre responderi / contradictores vero si qui sint per censuram ecclesiasticam arcius compescendo / ceteraque alia et singula sibi faciendo que in premissis ex vestro officio pastoralis incumbunt peragenda . In cujus rei testimonium sigillum nostrum commune apud monasterium nostrum de Abbirbrocht in loco capitulari ejusdem presentibus duximus appendendum / ultimo die mensis Marcij anno Domini millesimo quadringentesimo nonagesimo septimo .

Decime garbales de Banff et Inuerbundy assedantur domino Jacobo Ogilvy de Deskefurde militi . <sup>1</sup> (A.D. 1498.)

Universis pateat per presentes nos David permissione divina abbatem monasterij Sancti Thome Martiris de Abirbroath ordinis Sancti Benedicti Sancti Andree diocesis / et ejusdem loci conventum / unanimi consensu et assensu [*etc.*] arrendasse et ad firmam dimisisse honorabili viro Jacobo Ogilvy de Deskefurde militi heredibus suis et assignatis / ita quod suus assignatus seu assignati sint proles de corpore suo genite sive fratres germani . omnes et singulas decimas garbales ecclesiarum nostrarum de Banff et Inuyrbundye cum pertinentiis / decimis tamen de Inuerquhentye Ardbangane et Dullochy exceptis / pro terminis novemdecim annorum vicissim et integre complendorum . Terminis vero introitus dicti Domini Jacobi [*etc.*] in percepcione et levacione dictarum decimarum [*etc.*] incipiente in Festo Sancti Petri quod dicitur Ad Vincula datam presencium immediate sequenti [*etc.*] . Solvendo inde annuatim dictus Dominus Jacobus et heredes sui et assignati predicti / nobis et successoribus nostris durantibus terminis pre-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Adv. Bibl.]



nominatis / sexaginta et quatuor libras usualis monete regni Scocie ad duos anni terminos Festa videlicet Pentecostes et Sancti Petri quod dicitur Ad Vincula [*etc.*] . In cujus rei testimonium sigillum commune capituli nostri presentibus est appensum / apud dictum monasterium vigesimo octavo die mensis Marcij / Anno Domini millesimo quadringentesimo nonagesimo Octavo . De quaquidem summa sexaginta quatuor librarum damus et concedimus prefato Domino Jacobo / pro suo fidei servicio et consilio habito et habendo nobis et successoribus nostris / quatuor libras annuatim de summa prescripta et omnibus diebus vite sue . Hanc autem assedacionem prefatus dominus David abbas subscripsit una cum manuali subscriptione quorundam Fratrum suorum dicti capituli . David abbas de Abbirbrocht . R . Scot supprior . V . Scot . Johannes Hwme . Alexander Erle affirmo . Andreas Anderson ad id . Jacobus Lawson . Thomas Nesche . Patricius Murray . David Boyis . Johannes Bad . V . Bawn . Andreas Scot .

De toftis in Banef . Inverculan . Elgin . Fores . Eren . et Inverniss . <sup>1</sup>  
(A.D. 1189—A.D. 1198.)

W . Dei gratia Rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem . Sciatis me dedisse et concessisse et hac carta mea confirmasse Ricardo episcopo Moravie et successoribus ejus in liberam

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 11.]

On the twelfth of February, in the year 1226, King Alexander II. confirmed to the monks of Kinlos, in Murray, the grant which his father King William had made to them of a toft in each of his burghs of Nairn, Aberdeen, Banff, Berwick, Stirling, Perth, and Montrose: "Et preterea unum toftum in Eren . unum in Aberdon . unum in Banef . unum in Berewych . unum in Strivelin . unum in Perth . unum in Munros . ita ut homines eorum super ipsa tofta manentes liberi sint et quieti ab omnibus auxilijs servicijs consuetudinibus et exactionibus secularibus ad nos pertinentibus per servicium quod eis facere debent." (*Id.* pp. 457—459.)

"King Robert I. confirmed the privileges of Banff as a burgh; but the earliest charter which was exhibited to the commissioner, or is believed to be extant, is one granted by King Robert II., dated the seventh of October, 1372. By it there are granted 'totum burgum nostrum de Banff cum pertinentibus, per omnes rectas metas et diuisas suas cum terra prepositure dicti burgi que vocatur Cathnelpy, cum croijs et piscarijs aque de Duverne, molendinis multuris et eorum sequelis,' *etc.* The governing charter is one granted by King James VI. dated the ninth of May, 1581." (*Municipal Corporations. (Scotland.) Local Reports of the Commissioners, part i. p. 99. Lond. 1835. fol. Presented to both houses of Parliament by command of his Majesty.*)

In a roll of missing charters by King David II. is "Carta to Margaret Murray, of the

et perpetuam elemosinam . unum toftum in Banef . unum in Inverculan . unum in Elgin . unum in Forays . unum in Eren . unum in Inuernys . Tenenda ita libere quiete plenarie et honorifice . sicut alii episcopi in terra mea tofta sua in burgis meis liberius . quiecuis . plenius et honorificencius tenent . Testibus Hugone cancellario meo . A . abbate de Dumfermelyn . comite Duncano . comite Gylberto . Ricardo de Prebenda clerico meo . Willelmo filio Freskini . Petro de Polloc . Willelmo de Laceles . Apud Elgin .

Litere communitatis de Banf . <sup>1</sup> (A.D. 1291.)

Viris prouidis et discretis custodibus regni Scocie . de communi consilio constitutis et ceteris magnatibus eiusdem consilij residentibus . prepositi ac ceteri burgenses communie de Banff . salutem et debitam ad honoris obsequia reuerenciam . Vobis grauitur conquerendo monstramus quod cum dominus Alexander quondam Rex Scocie inclite recordacionis quasdam nundinas in burgo de Aberdine tenendas et habendas ad utilitatem nostram et aliorum burgorum ex aquilonari parte moncium existencium per cartam suam concessisset et imperpetuum confirmasset . quequidem nundine per burgenses de Munros impediuntur et singulis annis perturbantur in non modicum preiudicium et grauamen prefati burgi de Aberdine immo tocius prouincie ex aquilonari parte . Quare vestre discrecioni reuerende humiliter supplicamus attentius petentes quatinus tenorem carte superius nominate dicto burgo de Aberdine concessisse propter utilitatem pupplicam ac necessitatem dictorum burgensium de Aberdine illesum si placet secundum libertates infra cartam suam contentas obseruari faciatis . Ita ne occasione

customs of Bamfe, in vicecomitatu de Banff, for her lifetime." (Robertson's Index to the Charters, p. 37.)

"De xx . solidis de Elgin . (A.D. 1124—A.D. 1153. From the Registrum de Dumfermelyn, p. 18.)

"Dauid Rex Scottorum . episcopis . abbatibus . comitibus . baronibus . vicecomitibus . prepositis . et omnibus probis hominibus tocius Muref et Scocie salutem . Sciatis me in perpetuum dedisse Deo et monachis de Vrchard ibi Deo famulantibus dum deuote et religiose se continuerint . xx . solidos . singulis annis ad vestimenta eorum de firma burgi mei et aquarum de Elgin . Quare precipio quod prepositus eiusdem burgi eis illos denarios sine omni disturbacione faciat habere . Testibus . Herberto camerario . et Alwino filio Archil . Apud Banef."]

<sup>1</sup> [From the original in the charter room of the city of Aberdeen.]

inquietacionis seu perturbacionis dictorum burgensium de Munros ulterius dampnum seu iactura nobis inferatur nec inde materia conquerendi per defectum iusticie nobis tribuatur . In cuius rei testimonium sigillum nostrum commune hiis literis patentibus est appensum . Datum apud Banff . Dominica proxima ante Carnipriuium . Anno Domini . m<sup>o</sup> . cc<sup>o</sup> . octogesimo nono .

Carta vendicionis tofti de Banf . <sup>1</sup> (A.D. 1323.)

Uniuersis presentes litteras inspecturis Henricus de Spyny vicarius de Banf salutem . Noueritis me vendidisse / utilitate mea pensata / quoddam toftum burgagii infra burgum de Banff . jacens in Vico Maris inter terram Walteri filij Malot ex parte australi . et terram Moricij filij Alani ex parte boreali . aquam de Dovert ex parte orientali . et collem tendentem ad Castrum ex parte occidentali . pro quadam summa pecunie quam recepi pre manibus per dominum Nycholaum de Lundy camerarium ac actornatum religiosorum virorum abbatis et conuentus de Abirbrothoc . cui ex parte eorundem religiosorum prefatum toftum vendidi cum pertinentiis . quod sibi contra quoscunque varantizabo et in perpetuum defendam . In cuius rei testimonium presentibus sigillum meum apposui . et ad maiorem rei euidenciam sigilla Valteri Vdayn et Jacobi Vitorbambe tunc balliuorum dicti burgi ad meam instanciam diligentem presentibus sunt appensa . Datum apud Banf . die Dominica proxima post Festum Sancti Michaelis Archangelis . anno gracie . m<sup>o</sup> . ccc<sup>o</sup> . vicesimo tercio .

Carta terrarum thanagii del Boyen / pro domino Johanne de Edmounstona . <sup>2</sup> (A.D. 1368.)

Dauid Dei gracia . . Rex . . Scottorum . . *etc* . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse . . Johanni de Edmoun-

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

<sup>2</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 49.]

In a roll of missing charters by King Robert I. is "Carta to Gilbert Haye, of the lands of Awne, in Bouyn, with many others, in vicecomitatu de Banffe." (Robertson's Index to the Charters, p. 16.)

In a roll of missing charters by King David II. are "Carta to William Waux, of the keeping of the Forest of Buyn and Awne;" "Carta to Andrew Buttergask, of the Forest of Buyn, in vicecomitatu de Banff, in excambion for the lands Quhuhame, in vicecomitatu de Drumfreis." (Robertson's Index to the Charters, pp. 45, 55.)

stona militi / omnes terras nostras thanagii nostri del Boyen cum pertinentiis infra vicecomitatum de Banff / vna cum annuo redditu quatuor librarum exeuntium et debitorum nobis de villa nostra de Banff / Tenendas et habendas eidem Johanni et heredibus suis de corpore suo legitime procreatis seu procreandis / de nobis et heredibus nostris in feodo et hereditate / per omnes rectas metas et diuisas suas in vnam integram et liberam baroniam vna cum annuo [redditu] predicto / in boscis et planis pratis pascuis moris marresiis viis et semitis aquis stagnis molendinis murturis / et eorum sequelis / aucupacionibus venacionibus et piscariis cum tenendiis et seruiciis liberetenencium ac homagiis eorundem cum furca et fossa socca et sacco tholle et theame / et infangandthef . necnon cum omnibus aliis et singulis libertatibus commoditatibus aysiamementis et iustis pertinentiis suis quibuscunque ad dictas terras spectantibus seu quoquomodo iuste spectare valentibus infuturum . . Faciendo nobis et heredibus nostris predictus Johannes et heredes sui forinsecum seruicium pro baronia supradicta . . In cuius rei testimonium *etc.* . Testibus *etc.* . Apud Perth . xvij<sup>o</sup> . die mensis Marcij . anno regni nostri . Tricesimo nono . .

Preceptum pro saisina terrarum de Knockdurn in dominio de Boyn / domino Willelmo comiti de Eroll danda .<sup>1</sup> (A.D. 1479.)

Georgius comes de Huntlie dominus de Gordon et de Badyenach / dilectis nostris Waltero Ogilvy Johanni Ogilvy Nicolao Suderland et Andree Innes ballivis nostris in hac parte coniunctim et divisim specialiter constitutis Salutem . Quia terre de Knockdurn cum pertinentiis jacentes in dominio de Boyn infra vicecomitatum de Bamf resignate fuerunt in manibus nostris tempore impignorationis earundem dilecto nostro Jacobo Innes de eodem / et nunc redempte seu relaxate sunt per nobilem et potentem dominum Willelmum comitem de Eroll proprietarium dictarum terrarum . Vobis igitur precipimus et mandamus quatenus visis presentibus accedatis seu aliquis vestrum accedat ad predictas terras de Knockdurn cum pertinentiis ac saisinam [*etc.*] dictarum terrarum [*etc.*] dicto domino Comiti de Erroll [*etc.*] tradatis indilate et haberi faciatis [*etc.*] . In cuius rei testimonium sigillum nostrum presentibus est appensum / apud burgum de

<sup>1</sup> [From a copy in the charter room at Slaines.]

Aberdene . xix . die mensis Januarij anno Domini millesimo quadringentesimo septuagesimo octavo .

Carta Walteri Ogilvie de Boyne terrarum de Auchannoquhy et Culfyne . <sup>1</sup> (A.D. 1495.)

Jacobus Dei gracia Rex Scottorum *etc.* . Sciatis nos quandam cartam [*etc.*] factam per dilectum consanguineum nostrum Georgium comitem de Huntlie dominum de Baidynoch dilecto familiari armigero nostro Waltero Ogilvie de Boyne de omnibus et singulis terris de Auchannoquhy [*etc.*] / necnon de omnibus et singulis terris de Culfyne [*etc.*] / de mandato nostro visam lectam [*etc.*] non rasam [*etc.*] ad plenum intellexisse / sub hac forma . . OMNIBUS hanc cartam visuris vel audituris Georgius comes de Huntlie et dominus de Baidyenache / Salutem in Domino sempiternam . Noveritis nos dedisse concessisse et vendidisse ac pure vendicionis titulo a nobis et successoribus nostris alienasse [*etc.*] / dilecto consanguineo nostro Waltero Ogilvy de Boyne . omnes et singulas meas terras de Auchannoquhy cum earundem pertinenciis jacentes infra Forestam meam de Boyne et vicecomitatum de Banff / prout se extendunt ad torrentem et terras jam aratas de Knokdurne ad occidentale ex una / et terras jam aratas de le Ordyns cum le Coukschaw ad orientale ex altera / ac terras inde aratas de Tullinaught extendentes linealiter ad terras jam aratas de Knokdurne prenotatas ad australe ex alia / et terras ac limites Foreste de Boyne et Thanagii ejusdem / videlicet / le Haghill extendentem linealiter ad le Commonfurd vulgariter nominatam et intrantem in torrente de Knokdurne inter limites dicte Foreste et Thanagij de Boyne ad boream / partibus ex altera . cum silvis et silvarum locis nobis et predecessoribus nostris pertinentibus / et specialiter cum silva de Lethnot infra dictas bondas existente . Necnon omnes et singulas terras nostras de Culfyn cum earundem pertinenciis infra Forestam nostram de Boyne prefatam et vicecomitatum de Banff jacentes . cum silvis et silvarum locis nobis et predecessoribus nostris pertinentibus / et specialiter cum silva de Kilatoquhy ad quandam congeriem lapidum vulgariter dictam Lestewymis Carne super montem ex parte australi torrentis de Boyne extendentem / et inde . . . . . nominatam de Culfyne . cum potestate et privilegio libere foreste in silvis et locis silvarum ante-

<sup>1</sup> [From the Earl of Haddington's Collection of Charters, MSS. Bibl. Adv.]

dictis in longitudine et latitudine debitis cum potestate eschaetarum et commodo curiarum dictarum terrarum de Auchannochy et Culfyne ac cum omnibus et singulis eschaetis proficuis et utilitatibus [etc.] et cum eschaetis et amerciamentis tenentium et inhabitatorum dictarum terrarum de Auchannoquhy et Culfyn cum pertinentiis earundem si que contigerint in curiis nostris dicte Foreste nostre de Boyne / Necnon cum potestate et libertate terras vastas et non prius aratas ex parte australi dicti torrentis de Boyne / et signanter infra metas et locos dictarum terrarum de Culfyn cum pertinentiis earundem ac etiam dictarum terrarum de Auchannoquhy cum pertinentiis infra limites et bondas antedictas / arandi lucrandi et colendi / ac pro earundem dictarum terrarum vastarum et non prius aratarum arabili redditione tribulos spinas salices arbores antiquas radices et truncos sectos [extrahendi etc.] fossas et sepes faciendi et edificandi . pro quadam pecuniarum summa nobis per prefatum Walterum Ogilvy integre numerata et per ipsum nobis plenarie persoluta ac in usibus nostris necessariis exposita et conversa / de quaquidem summa tenemus nos bene contentos et solutos [etc.] . Quequidem terre fuerunt dicti Walteri Ogilvy hereditarie et quas idem Walterus [etc.] sua pura et spontanea voluntate certis causis rationabilibus mediantibus in manibus nostris tanquam domini superioris per fustem et baculum ut moris est sursum reddidit [etc.] . Tenendas et habendas omnes et singulas terras prenominatas de Auchannoquhy et Culfyne [etc.] prefato Waltero Ogilvy heredibus suis et suis assignatis de nobis heredibus et successoribus nostris quibuscunque in feodo et hereditate in perpetuum per omnes rectas metas [etc.] cum communi pastura infra dictam nostram Forestam de Boyne [etc.] . Reddendo inde annuatim dictus Walterus Ogilvy heredes sui et sui assignati nobis et heredibus nostris unum denarium usualis monete regni Scotie ad Festum Penthecostes super solum dictarum terrarum nomine albe firme si petatur tantum [etc.] . In cujus rei testimonium presentibus sigillum nostrum est appensum / apud Huntlie duodecimo die mensis Januarij anno Domini millesimo quadringentesimo nonagesimo secundo . presentibus ibidem venerabili honorabilibus et discretis viris / Ricardo Strathaquhyn priore de Monymusk / Patricio Barclay domino de Grantuly / et Johanne et Andrea ecclesiarum de Glas et Botarrie Moraviensis diocesis rectore et vicario . testibus ad premissa rogatis et requisitis . . QUAMQUIDEM cartam ac donationem venditionem et alienationem in eadem contentas in omnibus suis punctis et articulis [etc.] approbamus ratificamus et pro nobis et succes-

soribus nostris pro perpetuo ut premissum est confirmamus . Salvis nostris et successoribus nostris iuribus et servitiis de dictis terris silvis et silvarum locis cum pertinenciis ante presentem confirmationem nostram nobis debitis et consuetis . In cujus rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . Testibus [etc.] apud Perth tertio die mensis Decembris anno Domini . m° . iiij° . nonagesimo quinto . Et regni nostri octavo .

Carta Willelmi Somyr / pro tempore vite<sup>1</sup> / (A.D. 1362.)

Dauid Dei gracia . Rex Scottorum . Omnibus etc . Sciatis quod concessimus dilecto familiari nostro Willelmo Somyr illum annuum redditum quadraginta solidorum nos contingentem de terra de Baldavi vna cum molendino eiusdem infra vicecomitatum de Banff / Tenendum et habendum dicto Willelmo pro toto tempore vite sue libere etc . cum omnibus libertatibus etc . In cuius rei etc . Testibus etc . Apud Perth . xxviij° . die Maij . anno regnj nostrj Tricesimo Tercio . .

Carta terrarum de Regale et Auchorsk domino Willelmo domino Creichton concessa .<sup>2</sup> (A.D. 1478.)

Omnibus hanc cartam visuris vel audituris Georgeus permissione divina Abbas monasterij de Abbirbrothoc / Salutem in Domino sempiternam . Noveritis nos cum consensu et assensu conventus ejusdem loci / dedisse concessisse et hac presenti carta nostra confirmasse / [etc.] . nobili et potenti domino Willelmo domino Creichton . omnes et singulas terras nostras de Rigale et Auchorsk / cum pertinenciis jacentes infra vicecomitatum de Banff . Quequidem terre cum pertinenciis fuerunt Jonete de Dunbar domine de Frendracht matris dicti Domini Creichton hereditarie . et quasquidem terras cum pertinenciis prefata Domina [etc.] sua mera pura et spontanea voluntate in manus nostras apud burgum de Edynburth per suos procuratores ad hoc specialiter constitutos coram subscriptis testibus per fustem et baculum sursum reddidit pureque simpliciter resignavit / [etc.] . Tenendas et habendas omnes et singulas predictas

<sup>1</sup> [From the Registrum Magni Sigilli Regvm Scottorvm, p. 32.

In a roll of missing charters, by King Robert III. is "Carta to David Duff, of the lands of Maldakatu and Baldavy, in vicecomitatu de Banff." (Robertson's Index to the Charters, p. 141.)]

<sup>2</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

terras cum pertinenciis prefato Willelmo domino Creichton heredibus suis et assignatis de nobis et successoribus nostris abbatibus dicti monasterij in feodo et hereditate in perpetuum [*etc.*] adeo libere quiete [*etc.*] sicut dicta Domina de Frendracht aut predecessores sui prenominatas terras cum pertinenciis ante dictam resignacionem in manibus nostris inde factam liberiorius tenuit seu possedit tenuerunt seu possederunt . Et nos vero dictus Georgeus abbas dicti monasterii et nostri successores abbates ejusdem omnes et singulas predictas terras de le Rigale et Auchorsk cum pertinenciis prelibato Willelmo domino Creichton suis heredibus et assignatis adeo libere et quiete in omnibus et per omnia ut predictum est contra omnes mortales warantazibimus acquietabimus et in perpetuum defendemus . In cujus rei testimonium huic presenti carte nostre sigillum commune capituli nostri est appensum . Coram hiis testibus magistro Henrico Boys cancellario Dunblanensi . Jacobo Scrymgeour herede constabularii de Dundee . David Heryis de Deray . domino Thoma Balduvy capellano . Johanne Thane . Alexandro Bois . et Willelmo Dowglace armigero / cum multis aliis testibus . Apud dictum nostrum monasterium secundo die mensis Maij . anno Domini millesimo quadringentesimo septuagesimo octavo .

### THE PARISH OF CULLEN (OR INVERCULLEN) OF BOYNE.<sup>1</sup>

DESCRIPTION OF THE PARISH OF CULLEN OF BOYNE. BY MR. WILLIAM OGILVY.  
A.D. M.DCC.XXIV.<sup>2</sup>



ULLEN, in the shyre of Banff, is a royall burgh,<sup>3</sup> whereof the Earle of Findlater is heretable constable. It hath to the north-west, the church of Rathven, two myles; to the south-west, the church of Deskfoord, two myles; to the east, the church of Fordyce, two myles.

The toune is above half a myle in length, and hath only one street, which beginneth at the south end, where there is a house called Burdsbank, lately belonging to the name of

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 647, 648.]

<sup>2</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>3</sup> ["The Royal burgh of Cullen is of considerable antiquity, as is proved by a charter of King James II. dated the sixth of March, 1455, ratifying a charter of King Robert I., by which were granted to the burgh, the usual liberties, privileges, and advantages." (Muni-



Leslie, now to the Earle of Findlater. About the middle of the town is the Church,<sup>1</sup> Tolbooth, and Cross. A little distance from it is a Hospital erected by

cipal Corporations. (Scotland.) Local Reports of the Commissioners, part i., p. 165. Lond. 1835. fol. Presented to both houses of parliament by command of his Majesty.)

King William the Lion, between the years 1189 and 1198, granted to Richard, bishop of Murray, a toft in the burgh of Inverculan. (Registrum Episcopatus Moraviensis, p. 11; above, pp. 128, 129.)

On the fifth of October, 1232, King Alexander II. granted to Andrew bishop of Murray the land of the provostry of Kynmyly, by a charter dated "Apud Inverculan . v . die Octobris anno regni nostri octavo decimo . Testibus . W . de Bondington cancellario . Waltero filio Alani senescallo justiciario Scochie . David filio comitis Duncani . Johanne de Vallibus . Waltero Byseth . Colino Hostiario . " (Registrum Episcopatus Moraviensis, pp. 27, 28.)

On the seventh of October in the same year, the same King granted to the chapel of Saint Nicholas beside the bridge of Spey, four merks yearly from the rent of the King's mills of Inuernarn, by a charter dated "Apud Inverculan septimo die Octobris . anno regni domini Regis decimo octavo . Testibus Willelmo de Bondington cancellario . Waltero filio Alani senescalli justiciario Scotie . M . comite de Anegus et Katania . Johanne Biset . Waltero Biset . M . filio . M . comitis de Leuenaux . Willelmo Biset . " (*Id.* pp. 122, 123.)

In a roll of missing charters by King David II. are "Carta to Thomas Lipp, the lands of Netherdull, of Drumbeth, Pettinbrunache, with the office of Constabulary of Culan, in vicecomitatu de Banff;" "Carta to William Chalmers of the lands of Castlefield, in vicecomitatu de Banff;" "Carta to Margaret Bruce of the lands of Castlefield, in vicecomitatu de Banff, quhilk Henry Culane resigned." (Robertson's Index to the Charters, pp. 32, 37.)

In a roll of missing charters by King Robert III. is "Carta to David Hay, of the place of Cullen, in vicecomitatu de Banff." (*Id.* p. 141.)]

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 210, 646.]

"The church is a fabric of great antiquity, and bears the form of a cross. The interior presents a most venerable appearance; its dingy light, antique fittings, and the ancient monuments which grace its walls, combining to impart to it a very imposing aspect, and well calculated to aid devotional feeling." (The New Statistical Account of Scotland, number xxxviii. pp. 345, 346. Edinb. 1842.)

"The rental of Our Lady College of Cullen. (A.D. 1563. From the Book of Assumptions, or Register of the Valuation of Benefices, MSS. Adv. Bibl. Jac. V. 6. 20; Jac. V. 3. 1.)

"The Provostrie of the College Kirk of Cullane fundit onlie upon the fruttis of the vicarage of Rothwan, pertaining to Sir George Duff provest, liand in the diocie of Abirdene within the sheriffedome of Banff, beand at al tymes collectit bi the said Sir George himself sen his entres thairto, the yeirle avall estimate to .l . merkis . Quhairof he payis to Sir Andro Hay vicar pensionar of Rothwan . xx . merkis yeirle.

*sic subscribitur*

S<sup>r</sup> George Duff provest of Cullane

the family of Findlater,<sup>1</sup> for men, and another for women, order'd by the present Earle of Findlater, his deceast Countess. Near to which is the tol-booth; and, to the west of the church, is the Earle his dwelling-house, called Cullen House.<sup>2</sup> The toune standeth on a bigg burn, to the west, called The Burn of Cullen, which hath plenty of trouts. It runs straight to the sea eastwards, about a quarter of myle, where there's a sea toune and whyte fishing.

Betwixt the town and it, there is a place called The Castle Hill, but no house or rubbish of any appearing.<sup>3</sup>

Provestrie of Culane quhilk is the vicarage of Rothwan in the haill . xxxij lib. vjs. viijd.

The third pairt thair of . xj lib. ijs. ijd."

<sup>1</sup> ["The Earl of Findlater had a bede-house in the town of Cullen, which accommodated eight poor men, who had peats allowed them for fuel, and each had six and a half bolls of meal yearly. The bede-house being ruinous, was lately taken down; but the Earl allows a house free of rent, and the fuel, to such of the bede-men as incline to possess it, but few of them seem inclined to do it; but the meal is regularly given to poor persons, and sometimes divided between two poor families, which makes it more extensively useful." (The Statistical Account of Scotland, vol. xii., p. 148. Edinb. 1794.) See also the New Statistical Account of Scotland, number xxxviii. pp. 351, 352.]

<sup>2</sup> ["Near to Cullen House, there is the vestige of a house, in which it is said Queen Elizabeth, the queen of King Robert Bruce, died. This tradition seems to be confirmed by the charter of the town of Cullen, from which it appears that that King granted and gave in gift for ever five pounds yearly for the support of a chaplain in the church of Saint Mary of Cullen, to pray for the soul of his queen, Elizabeth. There is a farther tradition that Queen Elizabeth's bowels are buried in Our Lady Kirk of Cullen." (The Statistical Account of Scotland, vol. xii., pp. 153, 154.) See Collections for a History of the Shires of Aberdeen and Banff, p. 210. Fordun seems to be the only chronicler who has recorded the death of the second consort of King Robert I. His words are: "Anno Domini m.ccc.xxvii. septimo Kalendas Novembris, obiit domina Elizabeth regina, mater Regis David, et sepulta est in choro de Dunfermeling, juxta Regem Robertum sponsum suum." (Scotichronicon, lib. xiii., c. xii.; vol. ii. p. 288.)]

<sup>3</sup> ["At the north end of the town of Cullen, there is a beautiful green hill, called The Castle-hill, hanging over the sea, which, before the use of cannon, was extremely well situated for a place of strength, being inaccessible from the north by an almost perpendicular high rock, and having a deep ditch in all other directions for its defence." (The Statistical Account of Scotland, vol. xii., p. 153.) "On the eastern bank of the water of Cullen, and overhanging the sea-town, an eminence called The Castle-hill, rises in a conical form to the height of upwards of two hundred feet above the level of the sea. Traces of fortifications on it are yet distinctly visible." (The New Statistical Account of Scotland, number xxxviii., p. 325.)]

All the parish is within the town, except some few tenents houses, about half a mile south from the town, and some land one myle east, called Seafield.<sup>1</sup>

Cullen is eight myles north-west from Banff.

De Ratemorchus . <sup>2</sup> (A.D. 1226.)

Alexander Dei gratia Rex Scottorum omnibus probis hominibus tocius terre sue clericis et laycis salutem . Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Deo et ecclesie Moraviensi et Andree episcopo Moravie et successoribus suis episcopis Moravie . terram de Rathmorchus per rectas divisas suas et cum justis pertinentiis suis . in escambium terrarum quas dictus Andreas episcopus petiit in forestis nostris . scilicet unam dauacham et dimidiam in foresta de Inuerculan apud Calrunelau' et Beletyn . et dimidiam dauacham in landa Morgund . et quartam partem unius dauache in Pluscardyn . et dimidiam dauacham in Terneway . et in eadem foresta dimidiam dauacham ex altera parte aque de Fyndaryn ex opposito ecclesie de Logyn . et . xxx<sup>a</sup> . acras in Whytefeld apud Rath . et quindecim acras apud Duldauy . Salvis eidem Episcopo et successoribus ejus aliis terris et pasturis per rectas divisas suas quas ipse et predecessores sui juste habuerunt in forestis nostris ante istam donationem . [etc.] . Testibus comite Patricio . comite Malcolmo de Fyffe . Alano filio Rollandi constabulario . Waltero filio Alani senescallo . Waltero Olifard justiciario Laodonie . Henrico de Bayllol camerario . Ingeram de Bayllol vicecomite de Berewyke . Johanne de Haya vicecomite de Perth . Willelmo de Munfichet . Apud Stryuelyn ultimo die Marcii anno regni nostri . xii .

Compositio inter Andream episcopum Moraviensem et Gilbertum episcopum Abirdonensem super ecclesiis de Dauendor et Forscauen et capella de Inuerculan . <sup>3</sup> (A.D. 1236.)

Hec est amicabile compositio facta auctoritate judicum delegatorum a

<sup>1</sup> ["Cullen seems originally to have been a chapel for the accommodation of the people of that corner of the parish of Fordyce, and the contiguous part of Rathven. The parish extends from the sea southward, about two miles in length, and about one mile in breadth." (The Statistical Account of Scotland, vol. xii. pp. 147, 148.) See also The New Statistical Account of Scotland, number xxxviii., p. 313.]

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, pp. 21, 22.]

<sup>3</sup> [*Id.*, p. 101.]

domino Papa inter dominum Andream episcopum Moraviensem et dominum Gylbertum Aberdonensem episcopum in causa que vertitur inter eos super jure dyocesano ecclesiarum de Dauendor et Forscauen . et super capella de Inuerculan que petitur ut ecclesia . et aliis in editione Episcopi Moraviensis contentis . videlicet quod uterque de voluntate et consensu capituli sui renunciavit liti mote et movende in vita dictorum Episcoporum super jure dyocesano utrumque Episcopum contingente . Salvo jure utrumque Episcopum contingente post mortem dictorum Episcoporum . In cujus rei testimonium alter alterius scripto sigillum suum una cum sigillis dictorum judicum delegatorum apposuit . Testibus magistro Willelmo de Rokesburg . domino Jurdano canonico ecclesie Aberdonensis . domino Philippo persona de Glenberuin . Fratre Galfrido predicatore . Thoma canonico de Kambekynel . Willelmo persona de Fetherner . Johanne vicario de Fyuerner . et multis aliis . Actum anno gratie . m° . cc° . xxxvi .

Confirmacio pro David dicto Duffus / carte tenementi de Inuerculan Roberto de Holdey facte . <sup>1</sup> (A. D. 1330.)

Uniuersis presens scriptum visuris vel auditoris Galfridus permissione diuina abbas de Abirbrocht et eiusdem loci conuentus . Salutem in Domino sempiternam . Noueritis nos cartam toftum nostrum de Inuerculan tangentem per Walterum abbatem et conuentum de Abirbrocht / predecessores nostros / Roberto de Holdey factam et communi sigillo nostro signatam / non cancellatam non abolitam non abrasam nec in aliqua sui parte viciatam diligenter vidisse et inspexisse . in hec verba . . OMNIBUS Christi fidelibus presens scriptum visuris vel auditoris Walterus Dei gracia abbas monasterii Sancti Thome Martiris de Abirbrocht et eiusdem loci conuentus . eternam in Domino salutem . Nouerit uniuersitas vestra nos dedisse . concessisse . et hac carta nostra confirmasse . Roberto Holdey de Inuerculan . toftum nostrum quod habemus in villa de Inuerculan . Tenendum et habendum eidem Roberto et heredibus suis in liberum burgagium . ita libere et quiete sicut alii burgenses nostri in burgis Domini Regis liberior et quocienscunq; de nobis tenent . Reddendo inde nobis et successoribus nostris annuatim ad Penthecosten viginti denarios legalium sterlingorum . Et inueniendo nobis et nostris quocienscunq; illuc venerimus honestum hospiciū . lectisternium . albam candelam . sal et

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Adv. Bibl.]

focale . In cuius rei testimonium presenti scripto sigillum capituli nostri auctenticum apposuimus . Teste eodem capitulo . . Nos igitur cartam suprascriptam in omnibus et per omnia ratificamus / et per presens scriptum Daud dicto Duffus filio et heredi Johannis dicti Duffus et heredibus suis confirmamus . In cuius rei testimonium presentem confirmationem nostram communis sigilli nostri eiusdem munimine fecimus roborari . Datum et actum in capitulo nostro / secundo die mensis Aprilis . anno gracie millesimo trecentesimo tricesimo . . Et est sciendum quod hostilagium nostrum de Inuerculan jacet inter terram Abbatis de Kynlos ex parte boriali / ex parte una . et terram Regis quam tenuit Nevi Forester in confectione presencium ex parte australi / ex parte altera .

Carta Regis Roberti concessa Davidi Duff et Agneti sponse sue terrarum de Maldavate et Baldavy . <sup>1</sup> (A.D. 1404.)

Robertus Dei gracia Rex Scottorum / Omnibus probis hominibus tocus terre sue clericis et laicis Salutem . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse . dilecto et fideli nostro David Duff et Agneti de Camera sponse sue / filie et heredi Matilde de Maldavate / terras de Maldavate et Baldavy cum pertinentiis suis jacentes infra vicecomitatum de Banff . Que quondam fuerunt dictarum Matilde et Agnetis filie ejus hereditarie / et quas eodem Matilda et Agnes non vi aut metu ducte nec errore lapse set sua mera et spontanea voluntate nobis per fustem et baculum [*etc.*] sursum reddiderunt pureque et simpliter resignauerunt . Tenendas et habendas terras predictas cum pertinentiis dictis David et Agneti et eorum diucius viuenti ac heredibus inter ipsos legitime procreatis vel procreandis . quibus forsitan deficientibus dicto David et heredibus suis quibuscunque / de nobis et heredibus nostris in feodo et hereditate imperpetuum [*etc.*] In cuius rei testimonium presenti carte nostre / sigillum nostrum magnum precepimus apponi . Testibus reuerendo in Xpo patre Gilberto episcopo Abirdonensi cancellario Scocie . Roberto duce Albanie comite de Fyfe et de Menteth fratre nostro germano . Duncanano comite de Leuenax . Willelmo de Cunninghame / Roberto de Erskyne / David Fleming / militibus . magistro Waltero Forrestare canonico Abirdonensi secretario nostro . Johanne Sympil de Elyotstoun et Johanne de Parke . Apud Dunbertane . quinto die mensis Febru-

[From a copy in private hands. See above, p. 134, note <sup>1</sup>.]

arij · anno Dominj millesimo · cccc<sup>o</sup> · Tercio · Et anno regnj nostrj decimo quarto ·

Anent the landis of Fyndachyfeilde · <sup>1</sup> (31 May and 1 June 1493.)

In presens of the lordis auditouris Schyr James Ogilby of Desfurd knycht is becumyn plege and souirte that Androv Duff Walter Rossy Johne Duncane Donalde Johne Duncanesone Johne Stevinsone Nichole Cris-tisone Johne Thomsone Androv Johnesone salbe harmeles and scathtles of Walter Ogilby of Bone and all that he may let but fraude or gile bot as law will vndir the pain of · j<sup>c</sup> · pundis of ilk persone / And the said Walter Ogilby become plege for the said Schyr James / And elikwise James Ogilby and Johne Ogilby is becumyn plege ilke ain for vtheris that the said personis salbe scathtles of thaim and all that thai may let as said is vndir the said pain of · j<sup>c</sup> · pundis ·

In presens of the lordis auditouris Androw Duff oblist him and fand him self his lande and gudis causione that Johnne Duff sulde halde ferme and stable in it that he did in the actioun betuix the said Johne and Schyr James Ogilby of Desfurde knycht anent the landis of Fyndachyfeild vndir the pain of · j<sup>c</sup> · pundis *etc* ·

In presens of the lordis maister Androw Caidiow forspekare for the said Schyr James askit a not that the said Andro Duff producit a lig and bande maid amange the communitie and burges of Colane *etc* ·

In presens of the lordis auditouris maister Alexander Inglis archidene of Sanctandris askit a not that thare wes a charter producit be Andro Duff vndre the gret sele of King Robert and of his regne the secund yere makand mensioun that the landis of Fyndachyfeilde in the schirefdoume of Banff aw to the King yerely · j · merk · · Johne Stevinsone and Andro Dauidsone bailyeis of Culane this yere ·

The actioun and cause persewit / be Johnne Duff of Darbruche aganis James Ogilby of Desfurde knycht and James Ogilby his sone and ap-perand are for the wrangwis occupatioun and manuring of the landis of

<sup>1</sup> [From the *Acta Dominorum Auditorum*, pp. 170, 171 ; Robertson's *Parliamentary Records of Scotland*, pp. 375, 376.]

Fyndachyfeilde with the pertinentis / and for the vpbreking of the said Johnnis compt burdis and spoliatioune of certane charteris and evidentis and vtheris gudis as is contenit in the summondis / is be the lordis auditouris contenewit to the . viij . day of October nixt tocum with continiatioune of dais in the sammyne forme and effect as it now is but preiudice of partij / And ordinis him to haf lettrez to summonde his witnes anent the said spuiyle and the partiis ar summond apud acta .

#### THE PARISHES OF ROTHVAN (OR RATHVEN) AND FORSCAIN. <sup>1</sup>

Carta fundacionis domus leprosorum apud ecclesiam Sancti Petri de Rothfan per Johannem Byseth concessa . (A.D. 1224—1226.)



MNIBUS has literas visuris vel audituris Johannes Byseth eternam in Domino salutem . Universitati vestre significo me caritatis intuitu et pro anima domini Willelmi Regis Scotie . et pro salute domini mei Alexandri nobilis Regis . necnon et pro salute animarum antecessorum et successorum meorum . dedisse . concessisse et hac presenti carta mea confirmasse Deo et ecclesie Sancti Petri

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 648, 649.]

“ On the moor of Rannachy, at the distance of a hundred paces from the road, is an eminence evidently artificial, called Tarrielerack. On the heights of Corridown, there was a remarkable Druidical temple called The Core Stanes ; the stones of which were employed in building the new house of Letterfourie. There is a large heap of stones on an eminence in one of Lord Findlater's enclosures, near Woodside, southward of the public road, commonly called The King's Cairn. On the moor between Findochtie and the plantation of The Bauds, a great number of small cairns are distinguishable. About thirty years ago, a countryman discovered in a tumulus or cairn, on the farm of Westerside, at no great distance from the house of Rannes, a stone coffin containing human bones. Another was discovered, four or five years ago, a few feet to the northward, in the same tumulus. The ruins of an old chapel, near the house of Farskane ; of the house of Findochtie ; and of some buildings on the tops of two hills, on the east and west side of the harbour of Portknockie, the former called The Green Castle, and the latter The Tronach Castle, are still to be seen. Tarwathie was, in former times, the watch-word for convening The Enzie men, in times of danger, or at markets, and other places of public resort, when any of them happened to be engaged in a fray. There are two annual fairs in the parish, both named Peter-Fair.” (The Statistical Account of Scotland, vol. xiii. pp. 407, 421, 422, 423, 426. Edinb. 1794.)

“ The only man of learning and genius, so far as can be discovered, a native of this

de Rothfan ad sustentationem leprosorum ibidem Deo servientium • jus patronatus et quicquid habui in donatione ecclesie de Kyrtalargy quantum ad meam pertinet donationem • Habendam et possidendam sibi et successoribus suis de me et heredibus meis adeo libere • quiete • plenarie et honorifice in liberam puram et perpetuam elemosinam • sicut aliqua ecclesia ab aliquo milite vel barone in regno Scotie liberius • quietius • plenius • et honorificentius tenetur et possidetur • Preterea dedi domui tantum de rebus meis et averiis unde placati sunt et fideliter mihi et heredibus meis promiserunt et per pupplicum et solemne instrumentum se obligaverunt quod unum capellanum ibidem Deo sacra ministrantem • et septem leprosos • et unum famulum illis servientem • pro redemptione peccatorum suorum in perpetuum sustinebunt • ac illis singulis in necessariis competenter ministrabunt • Cum autem aliquem illorum infirmorum mori contigerit • vel de domo predicta recesserit • donec predictus numerus compleatur per me vel heredes meos alius presentabitur et instituetur • Quod ut ratum et firmum in perpetuum habeatur presens scriptum cum sigillo meo dignum duxi roborandum • Hiis testibus • domino Andrea episcopo • F • decano • H • archidiacono Moraviensi • H • decano Rossensi • [A.] vicecomite Moraviensi • Thoma Hostiario de Inuernys • W • Prath de Inuernarrin • R • de Forays • W • fratre meo • H • Corbeth • Symone vicario de Dulbathlach • H • capellano meo • qui hanc cartam scripsit • Wadino scutifero meo • et multis aliis •<sup>1</sup>

Alia carta ejusdem Johannis Byseth de eadem domo leprosorum de Rothfan • (A.D. 1226.)

Omnibus Christi fidelibus hoc scriptum visuris vel audituris Johannes Byseth salutem • Noveritis universi me pro anima Regis Willelmi quondam Scotorum • et pro salute Domini mei filii ejus Alexandri illustris Regis Scoto-

parish, was the celebrated Dr. Alexander Geddes. He was born at Pathheads, in the year 1737. His father was a small crofter on the Arradoul estate; his mother was Janet Mitchell, a native of Nether Dallachy, in the parish of Bellie. He died at London on the twenty-sixth of February, 1802." (The New Statistical Account of Scotland, number xxxviii, pp. 251, 252. Edinb. 1842.) A memoir of Dr. Geddes will be found in Dr. Irving's Lives of Scottish Poets, vol. ii. pp. 351—410. Edinb. 1804. 8vo.]

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 77.]

"There is a Bede-House still in being, though in bad repair, and six bede-men on the establishment; but none of them lives in the house. The nomination to a vacancy is in the gift of Lord Findlater, as proprietor of Rannes; and the yearly income of the bede-men is as



rum · necnon et pro salute animarum antecessorum et successorum meorum · concessisse et hac presenti carta mea confirmasse Deo et ecclesie Sancti Petri et domui leprosorum de Rothfan et fratribus ibidem Deo servientibus et servituris · in puram et perpetuam elemosinam · ecclesiam de Kyltalargyn cum omnibus pertinentiis suis · Atque dominum Andream Moraviensem episcopum · ad instantiam et supplicationem meam atque presentationem · Wilhelmm priorem dicte domus nomine fratrum suorum ad predictam ecclesiam canonice admisisse · et eandem dedisse et concessisse et carta sua confirmasse domui leprosorum de Rothfan et fratribus ibidem Deo servientibus et servituris in puram et perpetuam elemosinam · Habendam in proprios usus ad sustentationem suam in perpetuum · cum omnibus ad eam juste pertinentibus in terris et decimis et oblationibus · obventionibus et omnimodis ecclesiasticis rectitudinibus · libere · plenarie · quiete et honorifice · Testibus domino Andrea episcopo · Freskyno decano · Hugone archidiacono Moraviensi · Henrico decano Rossensi et vicario de Dulbathlach · Henrico capellano meo · W · fratre meo · Thoma Hostiario vicecomite de Inuernys · Waltero Prath vicecomite de Inuernarrin · Ricardo vicecomite de Forays · Alexandro vicecomite de Elgyn · H · Corbeth · Wadino scutifero meo · et multis aliis · Actum anno gratie · m<sup>o</sup> · cc<sup>o</sup> · xxvi<sup>o</sup> · mense Junio · die mensis ejusdem decimo nono · apud Inuernys · <sup>1</sup>

The rental of the Personage of Rothwan · <sup>2</sup> (A.D. 1563.)

The rental of the personage of Rothwan with the annexis tharof liand within the diocesis of Abirdene and Murray respective sheriffdomes of Banff and Murray respective

follows: from the lands of Rannes, every bedeman has half an acre of land during life, and one boll of oat-meal annually; from the lands of Findochtie, eight shillings, a penny and a farthing; and from Freuchnie, formerly part of the lands of Rannes, one shilling, four pence and three farthings, making in all nine shillings and sixpence yearly." (The Statistical Account of Scotland, vol. xiii. p. 412.)

"The Bede-House is still standing in the village of Rathven, and was very lately repaired: two of the six bedemen, who are still maintained on the establishment, at present live in the house." (The New Statistical Account of Scotland, number xxxviii. p. 268.)]

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 78.]

<sup>2</sup> [From the Book of Assumptions, or Register of Valuation of Benefices, MSS. Adv. Bibl. (Jac. V. 6. 20; Jac. V. 8. 1.)]

21 October 1488. "The lordis [of consale] decrettis and deliueris that David Ogilby of Tolmade sall content and pay to maister Alexander Giffard dene of Dunbar and per-

In the first the teinde silver of the parochin of Ruthvan . vj<sup>xx</sup> . vj lib.  
 The mailes of the baronie of Ruthvan . xxxj merkis vij s. iiij d.  
 The fermes of the Loynheid aikkeris and myln multuris extendis to .  
 v<sup>xx</sup> bollis beir  
 Item the kirk of Dundurcus sett for . xl lib.  
 Item the kirk of Kintallartie sett for . xxiiij lib.  
 Item the landis of Mulben liand in the parochin of Dundurcus . xvj  
 merkis  
 Heirot deducit of ordinar chargis to sex beidmen . xlij merkis.  
 Item to their habittis . vij lib. iiij s.  
 Item to the staller in Abirdene . . .  
 Item gevin furth of Dundurcus to the Abbay of Kinlos . vj lib.

*Sic subscribitur*

G Hay w<sup>t</sup> my hand

Personage of Rothwan the beidmennis pensionnis and claith deducit in the  
 haill . ij<sup>e</sup> . vj lib. x s  
 Third thairof . iiij<sup>xx</sup> lib xvj s. viij d.  
 Beir . vj chalderis iiij bollis  
 Third thairof . ij chalderis j boll j peck j third part

/ Confirmacio carte . Johannis Yhung . vicarii de Fordeysse . <sup>1</sup> (A.D.  
 1362.)

Dauid Dei gracia . Rex Scottorum . Omnibus *etc* . / Sciatis nos approbasse  
*etc* . assedacionem illam . quam dilectus et fidelis noster Johannes de Haya /

soume of Rothuene for the tyme / the soume of aucht skore ten merkis vsuale money of the  
 realme for a yeris froitis of the said kirk of Rothuene aucht be him to the said maister  
 Alexander of termes bigane lik as he is bundin be his obligacioun schewin and producit  
 before the lordis And ordanis our Souerane Lordis lettrez be writtin to distrenye him  
 his landis and gudis herefore . In presens of the lordis my lord chancellor [William bishop  
 of Aberdeen] protestit that the recovering of this soume of . viij<sup>xx</sup> . x . merkis apone Dauid  
 Ogilby of Tolmad for the froitis of Rothuene sulde turne him to na preiudice anent the  
 soume of . ix<sup>xx</sup> . of merkis for the quhilk the Erle of Huntly is bundin to him be his obli-  
 gacioun for the froitis of the sammyn kirk of Rothuene." (Acta Dominorum Concilii,  
 p. 88.)

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 32.]

In a roll of missing charters by King Robert I. are "Carta Gilberti de Hay de Locher-  
 ward, the lands of Auchenus, *etc.* in vicecomitatu de Banffe;" "Carta to Gilbert Haye, of

fecit Johanni Yung / vicario ecclesie de Fordys / de terra de Rove Buky in le Awne infra vicecomitatum de Banff / Tenendam et habendam eidem Johanni adeo libere *etc.* / sicut in literis Johannis dicti de Haya predicto vicario inde confectis plenius continetur / Saluo seruicio nostro . . In cuius rei *etc.* Apud Edynburghe . xiiij<sup>to</sup> . die Octobris anno regnj nostri Tricesimo quarto . .

the lands of Awne, in Bouyn, with many others, in vicecomitatu de Banffe;" and " Carta to Gilbert Hay of Locherward, of the forest of Dwne *etc.* in vicecomitatu de Banffe." (Robertson's Index to the Charters, p. 16.)

In a roll of missing charters by King David II. are " Carta to Philip of Meldrum, of the forest of Awne;" " Carta to John Hay of Tulliboyll, of the lands that lye betwixt Spey and Tynot in the forest of Awne;" " Carta to William Waux, of the keeping of the forest of Buyn and Awne." (Robertson's Index to the Charters, pp. 32, 42, 45.)

On the sixteenth of March 1479, there was an " actione and cause persewit [before the lordis auditouris] be William Lord Forbese aganis George Erle of Huntly anent the wrangwiss vptaking lifting and raising of the malis and proffitis of certain landis of the Forest of Aynye liande within the schirefdome of Banf of vj termes bigain extending to the soun of iij<sup>c</sup> merkis assignit to the said William be the said lord erle as was allegeit." (Acta Dominorum Auditorum, p. 78.)

## THE PRESBYTERY OF STRATHBOGY.

**Taxaciones beneficiorum episcopatus Moraviensis .<sup>1</sup> (*circa* A.D. 1350.)**

## Decanatus de Strathbolgy .

Ryny cum vicaria . . . . .	. xviii . marce .
Dunbanan . . . . .	. xxx . marce .
Vicaria ejusdem et de Kynnor . . . . .	. iiij . marce .
Innerketheny . . . . .	. xxxvi . marce .
Abyrlour . . . . .	. xxx . marce .
Vicaria ejusdem . . . . .	. iiij . marce .
Vicaria de Botrochyn . . . . .	. iii . marce .
Botary . . . . .	. xl . marce .
Essy . . . . .	. vi . marce .
Abyrkerdor cum vicaria . . . . .	. xl . marce .
Glas . . . . .	. xiiij . marce .
Artyldole . v . marce . cum capella de Bocharme	
Summa . c . lxvi . libre . Decima inde . xvi . libre . et . xii . solidi	

**Procuraciones debite Episcopo Moraviensi .<sup>1</sup> (*circa* A.D. 1350.)**

## Procuraciones decanatus de Strathbolgy .

Ecclesia de Botrochyne . Artyldol . et Aberlour . . . . .	. xl . solidi .
Ecclesia de Glas . . . . .	. xl . solidi .
Ryny et Essy . . . . .	. xl . solidi .
Botary et Elchy . . . . .	. xl . solidi .
Ecclesia de Rowen . . . . .	. xl . solidi .
Kynnor et Dunbanen . . . . .	. xl . solidi .
Ecclesia de Aberkyrdor . . . . .	. xl . solidi .
Ecclesia de Innerketheny . . . . .	. xl . solidi .
Ecclesia de Rothymay . . . . .	. xl . solidi .
Summa . xv . libre .	

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 362, 363.]

Procuraciones Moravienses recentioris evi . <sup>1</sup> (*circa* A.D. 1400.)

## Procuraciones decanatus de Strathbolgy .

Ecclesie de Bottrochyn . Artildol . et Aberlour concurrentes .	xl . solidi .
Ecclesia de Glass . . . . .	xl . solidi .
Ecclesie de Ryni et Essy concurrentes . . . . .	xl . solidi .
Ecclesie de Bottarry et Elchyn concurrentes . . . . .	xx . solidi .
Ecclesia de Ruthwen . . . . .	xl . solidi .
Ecclesie de Kynnor . Dunbanan concurrentes . . . . .	xl . solidi .
Ecclesia de Aberkerdor . . . . .	xl . solidi .
Ecclesia de Innerkethni . . . . .	xl . solidi .
Ecclesia de Rothimay . . . . .	xl . solidi .
Ecclesia de Garntuly } . simul . liij solidi .	iiij . denarii .
Ecclesia de Drumdalgy }	
Ecclesia de Keyth . . . . .	xliii . solidi .
Summa . xxi . libre . xliii solidi .	iiij . denarii .

Synodatica episcopatus Moraviensis . <sup>1</sup> (*circa* A.D. 1350.)

## Dekanatus de Strathbolgy .

Vicarius de Ryny . . . . .	ii . solidi .
Persona de Essy . . . . .	ii . solidi .
Vicarius de Innerkethny . . . . .	ii . solidi .
Vicarius de Bottarry . . . . .	ii . solidi .
Vicarius de Kynnor . . . . .	ii . solidi .
Vicarius de Aberkerdor . . . . .	ii . solidi .
Vicarius de Rothimay . . . . .	ii . solidi .
Persona de Glase . . . . .	ii . solidi .
Vicarius de Botrwchyn . . . . .	ii . solidi .
Vicarius de Aberlour . . . . .	ii . solidi .
Vicarius de Artyldole . . . . .	ii . solidi .
Vicarius de Dumbanan . . . . .	xii . denarii .
Vicarius de Grantuly . . . . .	ii . solidi .
Et Drumdalgy . . . . .	ii . solidi .
Summa . xxiiij . solidi .	

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 364—366.]

Rentale Episcopatus Moraviensis.<sup>1</sup> (A.D. 1565.)

Baronia de Keyth assedatur in feodifirma.

Villa ecclesiastica de Keyth solvens in anno vi libras xvi solidos viij denarios feodifirme, duas quarterias marte, duos mutones, duas duodenas caponum, duos agnos, duas aucas, duas bollas avenarum, tres bollas aride multure, cum servicijs.

Magister Johannes Gordoun.

Birkinburn et Auchindecht solventes in anno x libras xiii solidos iiij denarios feodifirme.

Alexander Gordoune.

Auchquhennanye, Litill Cantulie et brasina de Keyth, cum crofta, solventes in anno xxvii libras iv solidos xi denarios feodifirme.

Georgius Ogilvye.

Petlurg, Auchquhorteis cum crofta Pethruithin, solventes in anno xxii libras vi solidos viii denarios feodifirme.

Joneta Ogilvye.

Kynnoir solvens in anno x libras xvi solidos iv denarios pro precio xxvi bollarum victualium, et xl solidos pro firma brasine ejusdem, et novem solidos pro tribus duodenis pultrearum, extendentes in toto ad xiii libras v solidos iiij denarios.

Georgius comes de Huntley.

Crofta Edindeach consuevit solvere xxvii solidos viii denarios firme. Nunc assedatur in feodifirma Jacobo Innes de Dranye, solvens in anno . . . . .

Jacobus Innes de Dranye.

Feodifirme de Strathbolgy, videlicet, Dunbennand, Ryne, Drumdelgy, Rothwen, Botarie, solventes in anno vii libras vi solidos viii denarios monete.

Georgius comes de Huntley.

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 448, 450, 451.]

Feodifirme de Innerkeythne solventes in anno iij libras vi solidos viii denarios.

Domina de Frendracht.

Rentale ecclesiarum Episcopatus Moraviensis

Ecclesia de Rothemay, solvens in anno xl libras

Ecclesia de Keyth, solvens in anno iii<sup>e</sup> xxxiii libras vi solidos viii denarios annuatim ad terminos Sanctorum Servani et Martini in hyeme ; terminatim ii<sup>e</sup> lxxx merks.

Dominus Saltoun.

Ecclesia de Grantulie et Drumdelgie, solvens in anno i<sup>e</sup> lxxxiiij libras vi solidos viii denarios ad terminos Sanctorum Servani et Martini in hyeme ; terminatim lxxxvj libras xiii solidos iv denarios.

Dominus de Grantulie.

The Rentale of the Prebendaris of Murray.<sup>1</sup> (A.D. 1563.)

The personage of Kynnoir sett in assedatioun to the Erle of Huntlie for j<sup>e</sup> pundis

The personage of Inwerkethnye sett in assedatioun to Alexander Dumbar of Kwnyac for lxxx pundis yeirlie

The personage of Botarie extendis to j<sup>e</sup> merkis yeirlie

The personage of Ryne sett for lxxx merkis to Mr James Gordoun son to the Erle of Huntlie

The personage of Dyppill with the personage and kirk of Ruthuen pertenening to the said personage sett to the Erle of Huntlie and James Innes of Auchintoull for lxxxviiij pundis iij schillingis iij penneis and ij chalderis iij bollis victuall

<sup>1</sup> [From the Book of Assumptions, or Register of Valuation of Benefices, MSS. Adv. Bibl.]

The Registre of Ministers and thair stipendis sen the yeir of God 1567.<sup>1</sup>

## ABIRDENE AND BANFF.

## MINISTERS.

Kynnour . . Mr. Robert Freser, minister, j<sup>c</sup> merkis sen 1567.  
 Dunbenneth . Johnne Philpe, minister, j<sup>c</sup> lib.  
 Botare . } Mr. Alexander Leslie, minister, the haille personage and  
 Elchis . } vicarage of the said kirk, newlie providit.

## EXHORTARS.

Grantullie . Mr. George Nicolsoun, exhorter, xl lib.

## REIDARS.

Abirchirdir { Johnn Wilsoun, reidar, xvj lib.  
 { Florence Winsister, exhortar, xl lib.

## MAR.

## REIDARS.

Rynnye . . Andro Thomson, reidar, xvj lib.

## MURRAY.

Keith . . . Andro Guthrie, reidar, xx lib.  
 Ardintullie . William Kethie, reidar, xx lib.  
 Inverkeithnye James Abirnethy, reidar, xx lib.  
 Rothymay . Lorence Donaldsoun, reidar, xx lib.

The Ministeris and Reidaris stipendis for the year 1576.<sup>1</sup>

## MURRAY.

Kirkmichaell { Mr. Alexander Gordoun, minister, his stipend the haille  
 chancellarie of Murray newlie disponsit to him j<sup>c</sup>. lx lib.  
 payand the readirs at his awin five kirkis.  
 . . . . . reidare at Kirkmichaell, his stipend  
 xx merkis, with the kirkland, *etc.*  
 Innerawin . { Johne Porter, reidar, his stipend xx merkis, with the kirk-  
 land, to be payit be the chancellarie of Murray, *etc.*  
 Keith . . . Mr. Alexander Leslie, minister, his stipend j<sup>c</sup> lib. *etc.*  
 Botarie . . Johne Leslie, reidare at Botarie, his stipend xvj lib. *etc.*  
 Elchis . . William Hay, reidare, his stipend xvj lib. with kirkland, *etc.*

<sup>1</sup> [From the Register of Ministers, Exhorters, and Readers, and of their Stipends, after the period of the Reformation. Edinb. 1830. 4to.]



Glas . . .	{ Patrik Mitchell, reidare, his stipend the haill thrid of the personage and vicarage of Glas, extending to xv lib. vj s. viij d.
Ardintullie	{ William Peterkin, minister, liij lib. vj s. viij d. <i>etc.</i> George Collie, readare, xx merkis.
Gartlie . .	Mr. George Nicolsoun, minister, liij lib. vj s. viij d. <i>etc.</i>
Drumdelgy .	George Gordoun, reidare, xx merkis, with the kirkland, <i>etc.</i>
Essie . . .	{ Walter Leslie, reidar, the haill thrid of the personage and vicarage of Essie, extending to vj lib. xij s. iij d.
Ryny . . .	{ James Uruell, reidare, xij lib. vj s. viij d. with the kirkland, <i>etc.</i>
Abirchirdour	{ George Douglas, reidare, the haill vicarage newlie disponit to him, extending to xl lib.
Kynnoir . .	{ Robert Keith, minister, his stipend j <sup>e</sup> lib., for payment thair- of the haill personage and vicarage of Kynnoir and Dumbennan, newlie disponit to him.
Dumbennen	{ William Spens, reidare at Kynnoir and Dumbennan, the haill vicarage thair- of, newlie disponit to him, xx lib. to- gidder with the thrid of the vicarage of Gartlie, viij lib. xvij s. ix d.
Ruthven . .	{ William Elmeslie, reidare at Ruthven, xx merkis with the kirkland, to be payit as followis, <i>videlicet</i> , to the thrid of the vicarage of Ruthven viij lib., and the rest extending to v lib. xij s. iij d. to be payit be the persoun of Dippill and Ruthven out of the thrid thair- of, <i>etc.</i>
Duppill . .	{ . . . . ., reidare at Duppill, his stipend xij lib. vjs. viij d. with the kirkland, to be payit as followis, <i>videlicet</i> , to be payit out of the thrid of the personage of Duppill and Ruthven be the taxmen and parochinaris of Duppill, as the reidare sall cheise.

## DIOCE OF ABIRDENE.

Murthlak . .	{ Maister George Lesly, minister, j <sup>e</sup> lix lib. vj s. viij d. with the kirkland of Murthlak, payand the reidare at Murthlak, <i>etc.</i>
Dunmeith . .	{ William Abircumbie, exhortare, the haill personage and vicarage of Dunmeith, extending yeirlie to xx lib.
Rathven . .	{ Maister George Hay, minister, ij <sup>e</sup> lib. <i>etc.</i> Thomas Hay, reidare at Rathven, xx lib. <i>etc.</i>
Forsken . .	Forsken neidis na reidare.
Bellie . . .	{ Robert Grant, reidare, xvj lib. with the kirkland, to be pait out of the thrid of the priorie of Pluscardin, <i>etc.</i>

Litera Apostolica super injuriis illatis et dampnis ecclesie Moraviensi per David de Strathbolgyn et quosdam alios .<sup>1</sup> (A.D. 1224 et A.D. 1226.)

Omnibus Christi fidelibus ad quos presens pervenerit . Herbertus Dei gratia abbas de Kynlos et Thomas prior de Urchard eternam in Domino salutem . Literas et mandata venerabilium virorum Abbatis de Dere . Decani et Archidiaconi Abyrdonensis . recepimus in hec verba . . . WALTERUS Dei gratia abbas de Der . magister Alexander decanus et Malcolmus archidiaconus Abyrdonensis viris venerabilibus et dilectis in Christo Abbati de Kynlos . Priori de Urchard . et Priori de Kynlos eternam in Domino salutem . literas domini Pape recepimus in hec verba . . . HONORIUS episcopus servus servorum Dei dilectis filiis Abbati de Der Abyrdonensis dyoceseos . Decano et Archidiacono Abyrdonensi salutem et apostolicam benedictionem . Ex parte venerabilis fratris nostri Moraviensis episcopi fuit propositum coram nobis quod nobilis vir David de Strathbolgyn et quidam alii Moraviensis et Abyrdonensis dyocesum super Rynyn et quibusdam aliis terris . possessionibus decimis et rebus aliis injuriantur eidem . ideoque discretionis vestre per apostolica scripta mandamus quatinus partibus convocatis audiat causam et appellatione remota debito fine terminetis . facientes quod decreveritis per censuram ecclesiasticam firmiter observari . testes autem qui fuerint nominati si se gratia vel odio vel favore subtraxerint per censuram eandem cessante appellatione cogatis veritati testimonium perhibere . Quod si non omnes hiis exsequendis potueritis interesse duo vestrum nichilominus ea exsequantur . Datum Lateranense . xiii . Kalendas Maii . pontificatus nostri anno octavo . . Hujus igitur mandati apostolici exsequutioni interesse sepe non valentes . impredientibus nobis et detinentibus variis et necessariis occupationibus . eam vestre discretionis de qua plene confidimus duximus injungendam . auctoritate apostolica qua fungimur in hac parte vobis firmiter injungentes quatinus quotienscunque predicto mandato exsequendo non interfuerimus . vices nostras agentes . plena illud exsequendi potestate nobis commissa juxta formam rescripti apostolici nobis destinati mediante justitia procedere curetis . reservata nobis sententia diffinitiva . Volumus etiam et vobis districte mandamus ut duo vestrum quotiens tertium abesse contigerit . diebus et locis a nobis

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 78—80.]

vel a vobis tribus vel duobus statutis vel statuendis . ea nichilominus exsequantur . Idem partibus signamus . Valete in Domino semper . . .

HUJUS igitur auctoritate mandati constante nobis per acta publica Gylbertum Hostiarium sepe fuisse vocatum et tandem ob contumaciam ipsius manifestam Andream Moraviensem episcopum in possessionem dimidie dauache terre scilicet de Buleske causa rei servande missum fuisse . quam idem Episcopus ab eodem Gilberto petebat . cum constaret etiam ipsum a nobis et conjudice nostro ante annum elapsum canonice vocatum . sed in consueta malicia persistentem nec venire nec responsalem mittere curasse ad diem et locum sibi prefixum . voce preconis adhibita solempnitate debita . requiri etiam fecimus eundem non tantum tertio sed sepius . quo non invento sed omnino absente per contumaciam . de justa conjudicis nostri absentia certiores . et examinantes processum negotii universum . inspectis actis publicis et diligenter et plenius intellectis . luceclarius perpendimus annum fuisse elapsum ex quo prenominato Episcopo decreta fuit pretaxata possessio predictae dimidie dauache terre scilicet de Buleske causa rei servande . infra quam quia predictus Gilbertus nec cavit iudicio sisti nec cautionem offerre curavit . ad instantiam supradicti Episcopi canonicis consonam sanctionibus ex secundo decreto veram predictae terre decrevimus possessionem eidem . et verum possessorem constituimus . reservata parti adverse questione proprietatis . Actum anno gratie . m<sup>o</sup> . cc<sup>o</sup> . xxvi . die Martis proxima ante Festum Sancti Mathei apostoli in ecclesia cathedrali apud Elgyn . Valete in Domino universi .

Compositio inter Andream episcopum Moraviensem et David filium Duncani comitis de Fyf . super ecclesiis de Strathbolgyn .<sup>1</sup> (A.D. 1227.)

Noverint omnes hoc scriptum visuri vel audituri hanc esse finalem concordiam factam inter venerabilem patrem Andream Moraviensem episcopum et ecclesiam Moraviensem ex parte una . et nobilem virum David filium Duncani quondam comitis de Fyf ex altera . super advocationibus ecclesiarum de Strathbolgyn et terris ad easdem spectantibus . scilicet quod predictus Episcopus de consensu et assensu capituli sui pro se et successoribus suis predicto David et heredibus suis quietas clamavit in

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 22, 23.]

perpetuum advocaciones ecclesiarum de Essy et de Glas . et duas dimidias dauchas terre juxta easdem ecclesias quas tanquam ad dictas ecclesias pertinentes idem Episcopus vendicabat . Item dimidiam dauacham terre apud Dunbulg et aliam dimidiam dauacham apud Cumery . quas quatuor dimidias dauachas terre dictus Episcopus de consensu capituli sui dicto David et heredibus suis tanquam laycale feodum suum quietas clamavit suis et heredum suorum usibus deputandas . salvis utrique predictarum ecclesiarum tofto competenti et crofto unius acre . et communibus aysiamientis ad predictas ecclesias juste pertinentibus . Predictus vero David quietas clamavit et concessit in perpetuum predicto Episcopo et successoribus suis advocaciones omnium aliarum ecclesiarum in feodo suo de Strathbolgyn existentium . necnon et omnes terras ad easdem ecclesias pertinentes per suas rectas divisas et cum omnibus justis pertinenciis suis . scilicet dimidiam dauacham apud Rynyn . dimidiam dauacham apud Kynor . dimidiam dauacham apud Dunbanan . dimidiam dauacham apud Butharry . dimidiam dauacham apud Rothuan . dimidiam dauacham apud Drumdalgyn . Habendas et tenendas sibi et successoribus suis in liberam puram et perpetuam elemosinam . in bosco et plano . in pratis et pascuis . in moris et maresiis . in aquis et piscarijs . in stagnis et moleninis . Salva predicto Episcopo et successoribus suis questione quam idem Episcopus movit super terra de Petynlurg . et decem et octo acris juxta ecclesiam de Edyndiuy . Hec autem concordia finalis utriusque partium juramento est firmata . In premissorum autem firmum et indubitabile testimonium ei parti hujus scripture in modum cyrographi confecte que penes predictum Episcopum et successores suos existit . appensum est sigillum illustris Regis Scottorum Alexandri et sigillum predicti David cum appositione testium . Alteri vero parti hujus scripture que penes sepe dictum David et heredes suos est remansura . apposita sunt sigilla predictorum Episcopi et capituli cum eorundem testium appositione et subscriptione canonicorum . Testibus Thoma priore et Johanne monacho de Urchard . Henrico decano Rossensi . Symone persona de Roscolpyn . magistro Grifino de Valle . Roberto decano de Inuernys . Willelmo decano de Strathbolgyn . Gregorio decano de Strathspe . Ada Gurmund' milite . Alexandro vicecomite de Elgyn . Henrico fratre ejus . Augustino de Elgyn . et aliis quam pluribus . Actum anno gratie . m° . . cc° . xxxvi° . xv . Kalendas Aprilis . in ecclesia cathedrali de Elgyn .

Compositio inter Andream episcopum Moravie et David de Strathbolgyn de terris ecclesiarum de Rynyn . Dunbanan . Drumdalgyn . Rotheuan . Butharryn . et terra de Petnalurge . tenendis in feodifirma de Episcopo . <sup>1</sup> (A. D. 1232.)

Noverint omnes hoc scriptum visuri vel audituri quod cum inter Andream episcopum Moravie ex parte una et nobilem virum David de Strathbolgyn filium inclyte memorie Duncani comitis de Fif ex altera . super limitibus terrarum que dicuntur ecclesiarum de Rynyn . et de Dunbanan . et de Drumdalgyn . et de Rotheuan . et de Butharryn . et de quadam portione terre que appellatur Petnalurge . orta esset gravis contentio . de consilio et voluntate et consensu decani et capituli ecclesie Sancte Trinitatis de Elgyn amicali et finali compositione interposita ita convenit inter partes predictas . Scilicet quod predictus David et heredes ipsius tenebunt ad feodofirmam perpetuo de predicto Episcopo et successoribus suis prenomintas terras que dicuntur ecclesiarum de Rynyn . et de Dunbanan . et de Drumdalgyn . et de Rotheuan . et Butharry . que pertinent ad mensam Episcoporum Moraviensium . per suas rectas diuisas et cum omnibus iustis pertinenciis suis . salvis advocationibus et jure patronatus predictarum ecclesiarum omnibus Episcopis Moraviensibus in perpetuum . Et reddent inde singulis annis predicto Episcopo Moravie et successoribus suis predictus David et heredes sui in perpetuum pro omni exactione et servitio seculari ad predictos Episcopos pertinente septem libras et sex solidos et octo denarios sterlingorum legalium . scilicet pro terra que dicitur ecclesie de Rynyn tres marcas annuas . pro terra que dicitur ecclesie de Dunbanan duas marcas annuas . pro terra que dicitur ecclesie de Drumdelgyn duas marcas annuas . pro terra que dicitur ecclesie de Rotheuan duas marcas annuas . pro terra que dicitur ecclesie de Butharrin duas marcas annuas . medietatem scilicet ad Pentecostem et aliam medietatem ad Festum Sancti Martini in hyeme . Predictus vero David pro se et heredibus suis quietam clamavit predicto Episcopo et successoribus suis in perpetuum totam terram de Petynalurge de qua terra erat contentio inter eos . per suas rectas diuisas et cum omnibus iustis pertinenciis suis in perpetuum habendam et possidendam a rivo qui appellatur Helthach usque ad rivulum qui dicitur Aldnassauoch . liberam et

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 28—30.]

quietam ab omni exactione et servitio seculari prout melius et plenius predictus Episcopus predictam terram petiit et clamavit . Hoc autem in predicta compositione deductum est quod quelibet prenominarum ecclesiarum . scilicet de Rynyn et de Dunbanan et de Drumdalgyn et de Rotheuan et de Butharin . habebit juxta se et prope per visum proborum hominumcroftum unius acre et toftum et ortum olerum competenter et ydoneo loco et competenti . Quilibet vero sacerdos ministrans alicui ecclesiarum predictarum habebit sibi et suis communem pasturam per totam parochiam suam . secundum quod est provisum et constitutum ab Episcopis regni Scotici in concilio eorundem . Hoc etiam est in compositione predicta deductum quod Willelmus persona de Edendyuy et Gyllemor vicarius de Butharry tenebunt terras de Drumdalgyn et de Rotheuan et de Butharry supra nominatas prout continetur in cartis eorum quas habent de predicto Episcopo . et respondebunt dicto David de firmis earum . et ipse David tantundem solvet Episcopo Moraviensi qui pro tempore fuerit et non amplius de predictis terris ipsis dictas terras tenentibus . Predicto vero Willelmo decedente vel cedente predictus David et heredes sui solvent predicto Episcopo Moraviensi et successoribus suis pro predicta terra de Drumdelgyn duas marcas annuas sicut superius dictum est . Predictus vero David obligavit se et heredes suos in perpetuum per juramentum et hanc solempnem scripturam ad predictam compositionem fideliter et firmiter et plenius observandam sub pena quadraginta librarum esterlingorum legalium solvenda predicto Episcopo et successoribus suis a predicto David et heredibus suis quotiens in aliquo contra eandem temere ventum fuerit ab illis vel aliquo illorum . et renunciavit pro se et heredibus suis omni exceptioni . appellationi . occasioni et contradictioni et omni juris remedio tam civilis quam ecclesiastici . et constitutioni de duabus dietis et remedio episcopali Divi Adriani . Predictus vero Episcopus sub eadem forma per promissionem in verbo Dei factam et per istam solempnem scripturam se et successores suos obligandos decrevit quantum ad ipsum pertinet ad supradictorum observationem fidelem et firmam et plenam in omnibus sub pena supradicta et renunciatione consimili per omnia . In premissorum autem firmum et indubitabile testimonium alteri parti hujus scripture in modum cyrographi confecte que residebit penes dictum David apposita sunt sigilla predictorum Episcopi et capituli cum subscriptionibus canonicorum . alteri vero parti que erit in thesauris ecclesie Sancte Trinitatis de Elgyn apposita sunt sigilla Abbatis de Kynlos . Prioris de Hurchard . cum sigillo

predicti David . Testibus Domino . H . abbate de Kynlos . T . priore de Hurchard . Domino Waltero de Duffus . Domino Waltero de Petyn . militibus . et Waltero de Inneys . Alexandro vicecomite de Elgyn . M . decano de Strathbolgyn . Willelmo persona de Edindyuy . Johanne persona de Glas . Reginaldo vicario de Abirkerdour . Muryno senescallo de Strathbolgyn . Ada clerico predicti domini David . Actum anno gratie . m° . cc° . xxxii° . vi° . Idus Octobris .

Carta terrarum de Culnacloyth et de Ruthtrelen in Strathbolgy . <sup>1</sup> (*circa* A.D. 1284.)

Omnibus hoc scriptum visuris vel audituris Johannes de Moravia filius domini Malcolmi de Moravia salutem eternam in Domino . Noverit universitas vestra me dedisse concessisse et hac presenti carta mea confirmasse domino Willelmo de Moravia fratri meo pro homagio et seruicio suo totas terras meas de Culnacloyth et de Ruthtrelen in Strathbolgy quas teneo de domino Willelmo Comite Suthirlandie per rectas divisas suas cum omnibus justis pertinenciis suis libertatibus et aysiamenis ad dictas terras spectantibus vel aliquo tempore spectare valentibus . Tenendas et habendas dicto domino Willelmo de Moravia et heredibus suis de me et heredibus meis in feodo et hereditate . libere . quiete . pacifice et honorifice . in bosco et plano . in pratis et pascuis . in viis et semitis . in moris et maresiis . in aquis et piscariis . in feris et avibus . in stangnis et molendinis . Reddendo inde ipse et heredes sui vel assignati mihi et heredibus meis vnum par cyrotecarum et vnum denarium ad Pascha . et faciendo forinsecum seruicium Scoticanum domini Regis quantum pertinet ad dictas terras . Volo etiam et concedo ut dictus dominus Willelmus de Moravia et heredes sui vel assignati quieti sint ab omnimodis sectis curiarum ad me et heredes meos pertinentibus . Et si assignati dicti domini Willelmi fratris mei non habeant saisinam in dictas terras de Culnacloyth et Ruthtrelen ante mortem dicti domini Willelmi de Moravia volo quod non sit prejudicium dictis assignatis qui habeant et teneant predictas terras de me et heredibus meis sicut in plenariam saisinam ante decessum dicti domini Willelmi preuissent sine aliqua contradictione vel impedimento mei vel heredum meorum . Ego vero Johannes et heredes mei omnes predictas terras ut

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 462. The original is in the charter room of the Duke of Athol.]

prescriptum est predicto domino Willelmo et heredibus suis vel assignatis contra omnes homines et feminas in perpetuum warandizabimus acquietabimus et defendemus . In cuius rei testimonium presenti scripto sigillum meum apposui . Hiis testibus . domino Willelmo comite de Ros . domino Willelmo comite Suthirlandie . Johanne de Strivelyn et domino Willelmo de Dolays militibus . dompno Willelmo priore de Hurchard . domino Symone priore de Pluschardy . Adam de Moravia . Willelmo de Lectona . et multis aliis .

Carta . Johannis de Gordoune . de terris de Strabolgy .<sup>1</sup> (A.D. 1376.)

Robertus Dei gracia Rex Scottorum . Omnibus *etc* . salutem . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni de Gordoune omnes et singulas terras de Strabolgy cum pertinenciis infra vicecomitatum de Abredene que fuerunt eiusdem Johannis et quas recolende memorie dominus auus et predecessor noster Dominus Robertus illustris Rex Scocie quondam Ade de Gordoune militi . proauo dicti Johannis de Gordoune . hereditarie dedit et concessit ex eo quod dicte terre prefatum dominum auum nostrum tunc temporis contingebant / racione forisfacture quondam Daudid de Strabolgy existentis ad tunc ad pacem et fidem Regis Anglie / contra ipsum . Et quas terras de Strabolgy cum pertinenciis idem Johannes de Gordoune pronepos prefati quondam Ade de Gordoune non vi aut metu ductus nec errore

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, pp. 129, 130.]

In a roll of missing charters by King Robert I. are "Carta Joannis Paige, of the ane dauoche of land in Straithbogie, called Edindovat, in vicecomitatu de Aberdeen"; "Carta Adame Gordoun, of the barrony of Strabogie, in vicecomitatu de Aberdeen"; "Carta to Robert Keith, of the lands of Keith Merschell, and the office of Merschellschip, Keith Symone, Colbanstoun, Alneden in Buchan, with the new forest of Inuerpeffer, four dauoche of land of Strathbogie, the forest of Kintoir, *etc.*" (Robertson's Index to the Charters, p. 1, 2, 11. See also pp. 58, 162.)

In a roll of missing charters by King Robert I. is "Carta Malcolmi comitis de Lennox, terrarum de Strathoune, per forisfacturam Davidis de Strabogie, militis, dudum comitis Atholie, tempore quo Duncanus comes de Fyfe fuit contra pacem nostram." (*Id.*, p. 17.)

In a roll of missing charters by King David II. are "Carta to William Abernethy, of the lands of Rothemay, whilks David of Strathbogie forisfecit, in vicecomitatu de Aberdeen"; "Carta to William Wiseman, of the barony of Dun, in vicecomitatu de Forfar, whilk David Strathbogie forisfecit." (*Id.*, pp. 32, 33.)]



lapsus . set mera et spontanea voluntate sua / nobis per fustum et baculum sursum reddidit ex causa ac pure et simpliciter resignauit ac totum jus et clameum quod in dictis terris cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quietum clamauit imperpetuum . Et licet idem quondam Daudid de Strabolgy . tempore quo quondam Andreas de Morauia miles fuit custos regni . auunculo nostro Rege Daudid in remotis agente . fuerit ad fidem et pacem eiusdem domini Regis Daudid per ipsum quondam custodem receptus . et ad terras suas reconciliatus ex causa . Qui quondam Daudid de Strabolgy post modum a fide et pace dicti domini auunculi nostri recedens / et ad fidem et pacem Regis Anglie iterato rediens et in fidem eiusdem Regis Anglie diem claudens extremum tanquam publicus hostis Regis et regni / prefatas terras cum pertinenciis forisfecerat iterato / Nos tamen si et in quantum dicte terre ad nos pertinent seu pertinere debent racione vltime forisfacture ipsius quondam Daudid de Strabolgy sic contra fidem et pacem Regis et regni defuncti ex habundanti et vt omne vicium vltime forisfacture huiusmodi in nostra infeodacione purgetur penitus et ex toto . ipsas terras de Strabolgy cum pertinenciis eidem Johanni de Gordoune tenore presentis carte nostre vt prius concedimus atque damus / Tenendas et habendas eidem Johanni de Gordoune et heredibus suis de nobis et heredibus nostris in feodo et in hereditate per omnes rectas metas et diuisas suas in vnam integram et liberam baroniam / in boscis et planis pascuis pratis et pasturis moris maresiis vijs semitis aquis stagnis molendinis . multuris et eorum sequelis / aucupacionibus venacionibus et piscarijs bondis bondagiis et eorum sequelis . cum tenandiis et seruisiis liberetenencium ac aduocacionibus ecclesiarum cum furca et fossa sok et sak . tolle et theame et infangandtheff et outfangandtheff . necnon cum omnibus aliis et singulis commoditatibus libertatibus aysiamendis et iustis pertinenciis quibuscunque ad dictas terras spectantibus seu iuste spectare valentibus in futurum adeo libere et quiete integre et honorifice in omnibus et per omnia sicut dictus quondam Adam aut aliqui predecessorum dicti Johannis dictas terras cum pertinenciis aliquo tempore tenuit seu possedit aut iuste possidere debuit et tenere seu iuste tenuerunt et possiderunt vel possidere debuerunt aut tenere . Faciendo inde nobis et heredibus nostris . dictus Johannes et heredes sui . seruicium duorum militum in exercitu nostro . In cuius rei testimonium presenti carte nostrum precepimus apponi sigillum . Testibus etc . Apud Perth . sextodecimo die mensis Junij anno regni nostri Sexto .

Carta dominii de Strabolgy pro Alexandro de Setone et Elizabeth de Gordone sponsa sua<sup>1</sup> . (A.D. 1408.)

**R**obertus dux Albanie comes de Fyfe et de Mentethe . ac gubernator regni Scocie . Omnibus probis hominibus tocius regni predicti clericis et laicis / salutem . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse . carissimis consanguineis nostris Alexandro de Setone filio Willelmi de Seton militis et Elisabeth de Gordone filie et heredi quondam Ade de Gordone militis . omnes et singulas terras . baroniarum de Gordone et de Huntle cum pertinencijs jacentes infra vicecomitatum de Berwyke / terras eciam de Fogow de Fawnys de Melowrstanis . et omnes alias terras cum pertinencijs . que fuerunt dicti quondam Ade / infra dictum vicecomitatum . ubicunque jacentes . / necnon omnes et singulas terras de Strabolgy et de Beldygordone . ac omnes alias terras cum pertinencijs que fuerunt eiusdem quondam Ade infra vicecomitatum de Abirdene / Que quidem baronie et terre cum pertinencijs fuerunt dicte Elisabeth . et quas eadem Elisabeth . in sua libera virginitate constituta . non vi aut metu ducta nec errore lapsa sed mera et spontanea voluntate sua ex certa sciencia . et bona causa . in consilio nostro tento apud Perth . in presencia plurium regni prelatorum comitum baronum et aliorum procerum et nobilium nobis per fustum et baculum . et suas literas patentes . sursum reddidit pure et simpliciter resignavit / ac totum jus et clameum que in dictis baronijs et terris cum pertinencijs habuit uel habere potuit pro se et heredibus suis omnino quiete clamavit imperpetuum . Tenendas et habendas omnes et singulas terras dictarum baroniarum et omnes alias prenominate terras cum pertinencijs predictis Alexandro et Elisabeth . et eorum diucius viuenti . ac heredibus inter ipsos legitime procreandis / quibus forte deficientibus veris et legitimis heredibus prefate Elizabeth quibuscunque / de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas cum omnibus et singulis libertatibus commoditatibus aysiamendis et iustis pertinencijs quibuscunque tam sub terra quam supra terram ad predictas baronias et terras spectantibus seu quomodolibet spectare valentibus in futurum . adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dicta Elizabeth aut antecessores sui dictas baronias et terras cum pertinencijs de domino nostro

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, p. 235.]

Rege et antecessoribus suis ante dictam resignacionem nobis factam liberius tenuit seu possedit / tenuerunt seu possiderunt / Faciendo dicto domino nostro Regi et heredibus suis . predicti Alexander et Elizabeth . et eorum diucius viuens ac heredes sui predicti de dictis baronijs et terris cum pertinencijs . seruicia debita et consueta . In cuius rei testimonium presenti carte nostre sigillum officij nostri apponi precepimus . Testibus reuerendis in Xpo patribus Henrico Sancti Andree . Roberto Dunkeldensis . Gilberto Abirdonensis cancellario Scocie . Johanne Morauiensis . ecclesiarum episcopis . carissimo fratre nostro Waltero comite Atholie et Catanie . Roberto Senescalli de Fyfe nepote nostro . Johanne Senescalli comite de Buchane camerario Scocie filio nostro carissimo . Henrico de Sancto Claro comite Orcadie . Wilhelmo domino de Grahame . Johanne Senescalli de Lorne . et Georgio de Lesly de Fythkill . militibus consanguineis nostris dilectis . Apud Perth vicesimo die mensis Julij . anno Dominj millesimo cccc<sup>mo</sup> . Octauo . Et gubernacionis nostre anno Tercio .

Instrumentum super compositione de terris de Ryny . Dunbannane . Drumdelgy . Rothwen . et Butharry . inter Davidem episcopum Moraviensem et Alexandrum comitem de Huntlie . <sup>1</sup> (A.D. 1464.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini millesimo quadringentesimo sexagesimo quarto . mensis vero Maii die vicesimo . Indictione duodecima . pontificatus sanctissimi in Christo patris et domini nostri Domini Pij divina disponente clementia Pape secundi anno sexto . In reverendi in Christo patris et domini mei Domini Davidis Dei et apostolice sedis gratia Episcopi Moraviensis testiumque infrascriptorum presentia ac mei notarii publici presentia personaliter constitutus magnificus et prepotens dominus Dominus Alexander comes de Huntlie et dominus de Baydenacht deliberatione ad memoriam reducens exposuit qualiter inter prefatum reverendum in Christo patrem nomine ecclesie sue ac ipsum exponentem quedam controversia sive debata penes solutionem certe annue firme seu annui redditus septem librarum sex solidorum et octo denariorum sterlingorum legalium de terris de Ryny . Dunbannane . Drumdelgy . Rothwen et Butharry . ecclesie et episcopo Moraviensi annuatim debitorum . videlicet pro terra que dicitur ecclesie de Ryny trium marcarum . pro terra que dicitur ecclesie de Dun-

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 230—232.]

bannane duarum marcarum . pro terra que dicitur ecclesie de Drumdelgy duarum marcarum . pro terra que dicitur ecclesie de Rothwen duarum marcarum . et pro terra que dicitur ecclesie de Butharry duarum marcarum . ut idem dominus Episcopus asseruit . fuerat exorta . et ad diffiniendam et amputandam controversiam hujusmodi comparuit . etiam affirmabat quomodo per venerabiles in Christo patres Johannem de Elleme permissione divina monasterii de Kinlos abbatem ac Willelmum eadem permissione Vallis Sancti Andree de Pluscardyn priorem et discretum virum magistrum Ricardum de Forbes decanum Aberdonensem prelibati reverendi in Christo patris nuncios . nec non venerabilem in Christo patrem Davidem de Monymusk priorem ac alios honorabiles viros Murdacum Glastyr de Glak ac Thomam de Forbes de Auchynchampir per ipsum exponentem nuncios seu procuratores ad hoc specialiter constitutos . jura et documenta prefate ecclesie et Episcopi Moraviensis ipsas terras ac solutionem hujusmodi annui redditus seu annue firme singulis annis exinde solvendi seu solvende concernentia ac in registro predictae ecclesie Moraviensis conscripta visa lecta considerata discussa sibi per prefatos exposita et per eum intellecta fuerunt . quorum vigore et in honorem Summe Trinitatis ac alme matris ecclesie prefatique domini Episcopi . solutioni dicti annui redditus seu annue firme singulis annis de predictis terris plenarie solvendi aut solvende prout in prefatis juribus et documentis in dicto registro scriptis continetur voluit parere et eundem solvere cum effectu promisit . Quibus perlatis idem dominus Comes discooperto capite ac genuflexo coram eodem domino Episcopo existens et sedens ipsum dominum Episcopum humiliter ac instantissime requisivit et rogavit ut ipsum rogantem et predecessores suos ab omnibus et singulis sententiis et censuris ecclesiasticis contra ipsos ob non solutionem prefati annui redditus seu annue firme priscis elapsis temporibus latis si que fuerint . promittendo quod eundem de cetero fideliter solveret . ac in quantum non solum absolvere et dimittere de gratia speciali dignaretur . Prelibatus vero dominus Episcopus humilem ejus requisitionem attendens ipsiusque precibus favorabiliter inclinatus hujusmodi annum redditum seu annuam firmam elapsis temporibus de prenomatis terris non solum seu solutam remisit et ipsum dictum Comitem et suos predecessores ab omnibus et singulis sententiis et censuris ecclesiasticis contra prefatum dominum Comitem et suos predecessores ob non solutionem dicti annui redditus seu annue firme latis . quantum de jure potuit et debuit . absolvit et absolutum ac absolutos solempniter denunciavit . osculo pacis subsecuto . Quibus completis supra-

dictus dominus Comes dimidium nobile Anglicanum et unum grossum duodecim denariorum argenti usualis monete regni Scocie prelibato domino Episcopo ejus nomine et ecclesie sue in signum recompensationis solutionis preterite predicti annui redditus seu annue firme dedit et deliberavit . et hujusmodi dimidium nobile et grossum nomine quo supra dictus Episcopus recepit . De et super quibus omnibus et singulis prelibatus dominus Episcopus a me notario publico subscripto sibi unum vel plura publicum seu publica instrumentum vel instrumenta fieri petiit . Acta erant hec in ecclesia cathedrali Moraviensi in capella Beati Nicholai ejusdem sub anno mense die indictione et pontificatu suprascriptis . Presentibus ibidem .

Et ego Andreas de Fores presbyter Moraviensis dioceseos publicus auctoritate Imperiali notarius / quia [*etc.*]

#### THE PARISH OF HUNTLY; OR THE UNITED PARISHES OF DUNBENNAN AND KYNOR.

##### DESCRIPTION OF THE PARISHES OF DUNBENNAN AND KYNORE.<sup>1</sup>

(circa A.D. M.DCC.XXVI.)



N the parish of Dumbennan is the Castle of Strathbogy,<sup>2</sup> pleasantly situated where Bogy falls into Deveron, which has here a stone bridge.

Strathbogy was of old divided into forty-eight davachs, each containing as much as four ploughs (each having four or five yoke of oxen) could till in a year. But now, the wood being cut down, the arable land is more than double.

The church of Kinore was dedicated to Saint Mungo, and

<sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.

"Huntly is the modern name of the parish, which consisted formerly of two distinct parishes, both served by one parson. The name of the one was Dumbennan; of the other Kinore: they were united by a decree of the lords of session and plantation of kirks, and called the parish of Huntly, and a place of worship erected central to both in the year 1727." (The Statistical Account of Scotland, vol. xi., pp. 467, 468. Edinb. 1794.)]

<sup>2</sup> ["Near the town are the ruins of Huntly Castle. On the avenue that leads to it are two large square towers, which had defended the gateway. Great part of the castle seems to be very old, and is nearly demolished; but there is a massy building of a more modern date, in which some of the apartments, and, in particular, their curious ceilings, are still preserved pretty entire. They are painted with a great variety of subjects, in small divi-

here is Saint Mungo's [hill, with Saint Mungo's well.] <sup>1</sup> This Saint is said to have been the son of Eugene III., King of Scotland, and of Saint Thenaw, daughter to Loth, King of Picts; and to have been bred under Saint Serf, then abbot of the Culdees at Culross. The Aberdeen Breviary says his father was Eugenius Ewfren', King of Cumberland. He had the misfortune to be born in fornication; but, long after, out of reverence to him, it began to be reported that his mother was not unmarried only, but also a virgin. The Aberdeen Breviary says that his grandfather, King Loth, commanded his mother and her child to be drowned, and so put them into an old leaky boat, which, however, having set sail from Lothian, arrived safe at Culross, where a chappel to Saint Mungo was afterward built. After this, it seems, his mother led such a penitent and exemplary life

sions: a few lines of poetry underneath each describe the subject of the piece. In the chamber which was appointed for a chapel, the parables and other sacred subjects are represented in the same style." (*Antiquities and Scenery of the North of Scotland*, in a series of letters to Thomas Pennant, esqr., by the reverend Charles Cordiner, minister of St. Andrew's chapel, Bamff, pp. 9, 10. Lond. 1780. 4to.)

"Nigh to the bridge of Doveron stand the remains of Huntly Castle, which still afford a striking proof of the grandeur and hospitality of that ancient family, though one part only of the original plan seems to have been completed. On the north front are the arms of the family, cut in stone, with the names of the builder, George Gordon, first Marquis of Huntly, and Henrietta Stuart, first Marchioness of Huntly, and the date 1602. A spacious turnpike stair leads to what has been a very grand hall, and still bears the marks of splendour and magnificence. Its length is about forty-three feet; its breadth, twenty-nine; and its height, sixteen. There is another grand apartment immediately over this, thirty-seven feet in length, and twenty-nine in breadth. The chimneys of both are highly ornamented with curious sculpture of various figures, which, considering the inattention paid to this once magnificent fabric, are still in a tolerable state of preservation, and must attract the observation of any one who has a taste for ancient sculpture. The thickness of the wall admits of several small closets; and, in the upper apartments, there are large bow windows, a little projected from the surface of the wall, fronting the south. Indeed, most of the apartments are still in tolerable preservation, particularly the ceilings, which are ornamented with a great variety of paintings in small divisions, containing many emblematical figures, with verses, expressive of some moral sentiment, in doggerel rhyme. On the avenue which leads to the castle, there are two square towers, which had defended the gateway, and which the writer has seen adorned with the arms of the family, cut out in stone, in the front of the wall adjoining each tower, in good repair. The hewn stone of the windows and corners has been taken out, and applied to ignoble purposes." (*The Statistical Account of Scotland*, vol. xi. pp. 477, 478.)]

<sup>1</sup> ["In the parish of Kinore there is a hill called St. Mungo, on the west side of which there is a spring issuing from it, called St. Mungo's Well, of no medicinal quality but what arises from superstitious credulity." (*The Statistical Account of Scotland*, vol. xi. p. 468.)]

that she also was registered among the Saints, her feast being held on the eighteenth of July. (King and Camerarius.)

He was given to devotion from his childhood, and after he came to be a man, being made Bishop of Glasgow at the age of twenty-five, he travelled over all the kingdom afoot, preaching the gospel everywhere, and finding no rest but in doing good : whence it is said, at this day, of a business that appears to have no end, that *it is like Saint Mungo's work which was never done* : for this saint travelled not only as far as Wales in A.D. 543, where he lived some time with Saint David, Bishop of Menevia (and turned away many from Pelagianism), but also in A.D. 565, joined Saint Colm, the abbot, in converting the northern Picts, and sent out some of his disciples even to Norway, to plant Christianity there. (Bale apud Goodwin de Praesulibus Angliae, in Episcopis Asaphiensibus.) In Wales, on the river Elwy, he founded a monastery of nine hundred and sixty-five monks, and a bishoprick in A.D. 560, which, from his scholar Saint Asaph, a Scotchman (who was at first abbot of Glasgow, where Saint Mungo had founded a monastery on the model of that of Culross) whom he placed first bishop there, is called Saint Asaph's to this day.

Saint Mungo dyed at the age of a hundred and eighty-five, at Glasgow, on the thirteenth of January, A.D. 603. (Breviary of Aberdeen in the Life of Saint Baldred.)

'Tis said that the Queen of Scotland, having lost a ring which the King had given her as a love token, and, being on that account, suspected of adultery by the King her husband, had recourse to Saint Mungo, who presently ordered a salmon to be taken out of Clyde, which was found to have the ring in its mouth, (Camerarius, from a manuscript in the Archbishop of Glasgow's library): And hence it is that on the seal of the Bishops of Glasgow ther is the figure of a salmon with a ring in its mouth. The city also has for arms the same salmon and ring, with a bell, the original of which, being the same which Saint Mungo used, was kept as a relick here.

'Tis said farther, that, on a tyme, having no oxen to plow the ground, he took occasion to shew his disciples what absolute dominion man had over the creatures before the fall, and to this purpose called the deer out of the wood to do the work of oxen, whereupon they obeyed instantly ; but one of them being soon after devoured by a wolf, Saint Mungo commanded that very wolf to put himself under the yoke, who did it as soon as commanded. (Camerarius.) And hence is the name of Glasgow, which signifies a deer and a wolf.

The collect for his day used in the diocese of Saint Andrews is this : " Deus qui Beatum Kentigernum confessorem tuum atque pontificem ecclesie tue doctorem pariter atque rectorem mirifice presignasti : presta quesumus ut cujus venerandam solennitatem celebramus ipsius semper suffragia sentiamus." (Missale de Arbuthnot.)

apostolica piis votis et honestis petentium precibus favorem benevolum impertiri . Cum igitur venerabilis frater noster Episcopus Moraviensis ecclesie . vestra necessitate pensata . de decimis bladi parochie de Moy . et ecclesiarum de Kynor et Dunbanan . deliberatione provida cum vestro assensu duas canonicales prebendas duxerit statuendas . Nos vestris precibus inclinati . statutum hujusmodi sicut sine pravitate pie et provide factum est . dummodo in juris alieni non redundet prejudicium . auctoritate apostolica confirmamus et presentis scripti testimonio communimus . Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Si quis autem hoc attemptare presumpserit . indignationem Omnipotentis Dei et Beatorum Petri et Pauli apostolorum ejus se noverit incursurum . Datum Lateran . xii . Kalendas Maii . pontificatus nostri anno . vii .

Super prebenda de Kynnor et Dunbanan .<sup>1</sup> (A.D. 1224—A.D. 1226.)

Andreas permissione divina Moraviensis episcopus viris venerabilibus filiis et fratribus in Christo dilectis decano et capitulo Moraviensi eternam in Domino salutem . Inherere cupientes vestigiis venerabilis patris et pre-

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 66. See also as to the churches of Dunbennan and Kynnor, pp. 74, 91, 223, 224, 261, 264, 265, 268, 272, 361. The prebendary of Dunbennan and Kynnor was bound to provide a subdeacon to serve as his vicar in the cathedral church at Elgin. The office of Sacrist seems to have been attached to the prebend. (*Id.*, pp. 361, 268.) On the twenty-third of March, 1310, John of Wythy was prebendary of Kynor. (*Id.*, p. 149.) Robert Dalloquhy was prebendary of Kynor in the years 1487, 1488, and 1489. In the year 1488, he was amerced in the seventh part of his benefice, on account of his contumacy and non-residence at the cathedral church. (*Id.*, pp. 257, 261, 264, 265.) Andrew Froster was prebendary of Kynor and Dunbennan in the year 1541; and Patrick Hepburne, from the year 1562 to the year 1566. (*Id.* pp. xxiii, xxiv.)

"Assedatio ab Episcopo Moraviensi cum consensu capituli facta Georgio comiti de Huntley cancellario Scotiae et Elizabethae Keyth ejus sponsae, terrarum de Kynnoir in baronia de Keyth, vicecomitatu de Banff, pro novemdecim annis: Reddendo annuatim tresdecem libras quinque solidos et octo denarios: Testibus Georgio Gordoun de Gycht, magistro Adamo Gordoun et magistro Willelmo Wysman notario: Apud Elgin in loco capitulari, 8 Junii 1547. In fine additur Episcopum consensisse ad edificationem molendini in dictis terris a Comite qui multuris frueretur pro tempore assedationis: Testibus magistro Alexandro Hepburne rectore de Ryne, Thoma Wallace prebendario de Unthank, Andrea Moncrefe et magistro Willelmo Wysman: Apud Palatium de Spyne, eodem die." (*Id.*, p. 411.) See also p. 427."



decessoris nostri bone memorie Bricii . qui primus in ecclesia Moraviensi divini cultus ampliacionem non solum pie sed tam provide quam solerter quam strenue procuravit . in ecclesia nostra cathedrali unam superaddere decrevimus prebendam . quam constituimus de ecclesiis de Kynor et Dunbanan . quam magister Robertus de Stryhulle vir venerabilis et providus in manibus nostris resignavit . Has igitur ecclesias vobis per vos ecclesie vestre perpetuo damus et concedimus et hac carta nostra confirmamus in prebendam . Salva nobis et successoribus nostris ejus donatione quotiens eam vacare contigerit . eamque magistro . W . clerico nostro filio Roberti de Lindesia conferimus in puram et perpetuam elemosinam . Ut supradicta de cetero in dubium non valeant revocari set potius perpetuis inconcussa et inviolata permaneant temporibus . ea sigilli nostri appositione roboravimus . Testibus Ranulpho canonico Moraviensis ecclesie . Roberto canonico ejusdem ecclesie . domino Constantino monacho de Neubotel . Mychaele pincerna . Symone clerico . Jacobo et Fleumaco . Archibaldo de Wymeth . Gervasio . Augustino serviente nostro . et aliis .

Concessio domini Andree episcopi Moravie super prebendis de Mwy . de Kynnor et Dunbanan . de Petyn et Bracholyn . de Butruthyn et Aberlouer . <sup>1</sup> (A.D. 1224—A.D. 1242.)

Omnibus hoc scriptum visuris vel audituris Andreas permissione divina Moraviensis episcopus eternam in Domino salutem . Noveritis universi nos ob venerationem Sancte Trinitatis et gloriose beateque Virginis Dei genetricis . ad ampliacionem cultus divini et ecclesiastice celebritatis . constituisse duas prebendas in ecclesia nostra cathedrali de Elgyn . unam de omnibus decimis garbarum infra parochiam del Muy provenientium . quam volumus esse liberam et quietam ab omnibus ad nos et successores nostros pertinentibus . et aliam de ecclesiis de Kynnor et de Dunbanan cum omnibus ad eas juste pertinentibus . exceptis terris earum quas nobis et successoribus nostris perquirendas reservavimus et ad usus mense nostre perpetuo habendas et possidendas . salvis etiam nobis et successoribus nostris Episcopalibus in eisdem ecclesiis . Divina etiam gratia nobis superveniente de voluntate et assensu Walteri de Moravia patroni ecclesiarum de Petyn et de Bracholyn . de omnibus decimis garbarum infra parochias dictarum ecclesiarum provenientium unam constituimus prebendam . et aliam de omnibus

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 66, 67.]

decimis garbarum provenientium infra parochias de Butruthyn et de Abyrlouer prebendam constituimus de voluntate et consensu predicti Walteri patroni similiter dictarum ecclesiarum . Has vero duas prebendas ecclesie Sancte Trinitatis de Elgyn assignavimus . consentiente predicto Waltero earundem prebendarum vel ecclesiarum patrono et futuro collatore cum vacaverint . nobis et capitulo nostro eidem promittentibus et concedentibus necnon et heredibus suis in perpetuum . ut tam ipse quam heredes sui omnibus futuris temporibus quotiens predictas prebendas vacare contigerit vel earum alteram . presentandi ad eas viros ydoneos vel earum alteram ydoneam personam liberam habeant facultatem sine qualibet contradictione vel impedimento . Volumus autem et concedimus ut prebende predictae ad donationem sepe dicti Walteri et heredum suorum pertinentes adeo libere sint et quiete ab omnibus ad nos et successores nostros pertinentibus sicut alie a venerabili patre et predecessore nostro bone memorie Bricio quondam Moraviensi episcopo constitute et ordinate . et eisdem in omnibus libertatibus gaudeant et immunitatibus . Salva nobis et successoribus nostris in parochianos predictarum ecclesiarum potestate Episcopali et jurisdictione ordinaria et canonica . Ut autem in posterum de premissis nulla possit oriri dubitatio ea huic pagine duximus commendanda et sigilli nostri appositione roboranda . Testibus Freskyno decano nostro . magistro Henrico thesaurario . Ada subdecano . Lamberto succentore . magistro Edwardo . magistro Willelmo . Roberto parvo canonicis nostris . Radulpho capellano nostro . Thoma de Croyn . Gilberto capellano .

Petition to the bailie of the regality of Huntly for a toleration to the Stang.<sup>1</sup> (A.D. 1734.)

Unto the Much Honoured the Baillie of the Regality of Huntly  
the humble Complaint and Representation of the Under Subscribers upon Mr John Fraser Husband to Anne Johnston in Huntly  
Humbly Shewing

That upon the Eleventh of January Instant the Said Mr John Fraser Did under Cloud of Night Most inhumanly and Barbarously Beat

<sup>1</sup> [From The Miscellany of the Maitland Club, vol. i., pp. 485—493, Glasg. 1834. The original record is in Her Majesty's General Register House at Edinburgh.]

and Bruise Anne Johnstoun his Said Spouse to the effusion of her Blood and great hazard and peril of her Life And not only then but it is his constant practice as can be attested by Severalls of the Neighbourhead who have divers and Sundry times risen from their Beds at Mid-night and has rescued her out of his merciless hands or she had been most miserably Butchered by him And seeing your Petitioners are informed that Said Fraser has given in ane information to your Lordshipe against some of our good Neighbours Who upon Saturday last being the twelfth instant went to his house alleading they would cause him Ride the Stange (use and wont in such cases) but to our certain Knowledge with no other Design than to fright and Deter him from his villanous and cruell usage of his Said Spouse in all time comming

May it Therfore please Your Lordshipe to take this our more than most Lamentable case into your most Serious consideration by granting A toleration to the Stang which has not only ever been practicable in this place but in most pairts of this Kingdome being wee know no act of Parliament to the contrair: Or else if your Lordshipe can fall on a more prudent method wee most humbly begg your opinion for preventing more fatall consequences, Otherways upon the least disobligment given wee mus expect to fall Victims to our husbands displeasure from which Libera nos Domine

Ann Johnston  
 Agnas Scot  
 Lilles Garden  
 Elizabeth Burgie  
 i R  
 jen Guthrie  
 Janet Roy

Barbra Jessiman  
 Griseall Allan  
 Janet Forsith  
 Agnes Gordon  
 Isobal kemp  
 i P

Huntly, 18th January, 1734. John Gordon of Avachy, baillie:

The Defender appearing and craving to be allowed to prove that he uses his wife civilly and in the ordinary way, the Baillie allows him till too morrow for doing the same With certification if he failled, he would not only remitt the scandalous part to be punished by the Kirk Sessione but otherwayes fine and americiat him as he should see cause.

JOHN GORDON.

Regality Court of Huntly again mett within the tolbooth therof, upon the nineteenth day of January 1734, by John Gordon of Avachie, and other ordinary members :

Complains Mr John Fraser in Huntly, with concurrence of the procurator fiscal, upon James Meldrum servant, Alexander Brown in Huntly, John Falconer and William Allan, servants to Baillie Falconer in Huntly, who yesterday, upon the eighteenth current, violently attackt the person of the said John Fraser in the face of the sun about three in the afternoon, tore his cloths and abus'd his person, by carrying him in a publick manner through the toun of Huntly upon a tree: Therefore craves they may be fined and americiat in such sums as the baillie shall see cause, and to remain in prison till they pay the same, or find caution therefore and to the peace; and decerned to pay five pounds sterling, in name of damages, to the private party.

Compeared the persons complained upon, and judicially confessed and acknowledged their being accessory art and part in the cryme lybelled against them; but can't write.

The Baillie, in respect of the said confession, fines and americiatts each of the said Defenders in twenty pounds Scots; and decerns conjunctly for twelve pounds of assythment to the privat party, and ordains them to remain in prison till they find caution to the peace.

JOHN GORDON.

## THE PARISH OF GARTLY (OR GRANTULY.)

A DESCRIPTION OF THE PARISH OF GARTLEY.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

HE church of Gartley, dedicate to Saint Andrew, has an isle wherein the house of Huntley is buried.<sup>2</sup> Here is Andersmas fair, and Saint Andrew's well, one mile from the church.

There were here three<sup>3</sup> chapels :

A chapel, at Brawlingknow ;

A chapel, near Moorale-house ;

Saint Finnan's chapel and well, at Talathrewie.

DESCRIPTION OF THE PARIOCH OF GARTLIE.<sup>4</sup> (*circa* A.D. M.DCC.XXX.)

The parioch of Gartlie, the barony of which is in Banff-shire, and all the rest in Aberdeen-shire,<sup>5</sup> and the whole in the diocese of Murray, has upon the north,

<sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.

" Literae assedationis ab Episcopo Moraviae cum consensu capituli sui datae Georgio Barclaye de eodem et Margaretae Ogilvye ejus sponsae, decimarum garbalium parochiarum de Grantuly et Drumdalgye, pro novemdecim annis : solvendo inde annuatim 290 mercas : Testibus domino Waltero Ogilvye de Boynd milite, Jacobo Dunbar de Tarbart, Georgio Ogilvye de Auquhannanye, Andrea Moncreiff juniore, dominis Jacobo Sibbald et Alexandro Robertsons servitoribus Episcopi : Apud ecclesiam cathedralem Moraviensem, 24 Octobris 1556." (Registrum Episcopatus Moraviensis, p. 407.)

" Assedatioun of the teynd schevis of the parochie of Gartelie, set be the Bischop with consent of the cheptour, to Walter Berclay of Newtoun, for nynteyn yeiris : payand thairfoir 240 merkis yeirlie : Witnes, Johnne Douglas prebendar of Ruffill, Walter Barclay of Drumdelgie, David Cumyng, Johnne Inglis, servitouris to the Bischop : At Spynne and Elgin, 8 August 1580." (*Ibid.*)

The church of Gartly, Garntuly, or Grantully, was one of the mensal churches of the Bishop of Murray. (*Id.* pp. xviii., xix.)]

<sup>2</sup> [" The ashes of the Viscount of Aboyne and of John Gordon, laird of Rothiemay, who were burned in the old tower of the house of Frendraught in the year 1630, were buried in a vault in the church of Gartly, which is still to be seen." (The New Statistical Account of Scotland, number xi., p. 98. Edinb. 1836.)]

<sup>3</sup> [" The sites of four chapels are still pointed out in The Braes, namely, at Heatheryhillock, Brawlinknows, Tillythrowie, and Kirkney ; and the vestiges of some of them, and of the burial grounds thereto attached, are still visible." (*Id.*, p. 97.)]

<sup>4</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>5</sup> [" The parish of Gartly, though locally in Aberdeenshire, is, nevertheless, legally,

Dumbennan ; upon the south, Rhynie and Kennethmont ; upon the east, Inch and Drumblate ; and upon the west, Glass.

The church stands upon the east side of Bogie, twenty-four miles north-north-west from Aberdeen ; eighteen, south-east from Elgin ; six, north-north-west from Inch ; fourteen, south from Banff ; and two, south from Huntly, the presbytery seat.

Seats.

The old castle of Gartly<sup>1</sup> lyes a quarter of a mile south-south-east from the church ; and Collithie, as much north-west.

Rivers.

The river of Kirknie takes its rise in the head of Tillieminnit ; and, after a course of four miles east, enters Bogie upon the west side, opposite to Codrain,<sup>2</sup> a mile and an half north from Whitelums.

Ness-Bogie arises three miles north-west, in the parioch of Glass, and runs south-east into Bogie at the miln of Collithie, opposite to the church.

The river Ury has one of its sources in this parioch, a mile and an half south-east from the church, in a hill called Mishach. It has first the name of The Black-water, and, after two miles course east, runs into Gady, which, at some distance, after meeting with another brook, takes the name of Ury.

Hills.

Hills of note are, The Top of Noth, south-west ; Corskie, south-east ; and The Malshach, south, where is a medicinal well, and store of good moss.

Whitelums is a convenient inn, two miles south-west from the church, upon the west side of Bogie, and on the highway 'twixt Edinburgh and Inverness.

partly in that county and partly in the county of Banff. It is divided, nearly in the centre, by the water of Bogie, into what is called The Barony, and The Braes : the former is in the county of Banff, the latter in the county of Aberdeen." (The New Statistical Account of Scotland, number xi., p. 95.)]

<sup>1</sup> ["The only antiquity in the parish is an old ruin, called The Place of Gartly." (The Statistical Account of Scotland, vol. xi., p. 141. Edinb. 1794.) "Gartly Castle is placed on a small mount, and surrounded with a deep ditch. It is a square tower ; one end of it is fallen down, and shows a section of strong vaulted rooms ; but there seemed nothing so singular in its structure, as to merit more particular attention." (Cordiner's Antiquities and Scenery of the North of Scotland, p. 10.) "The principal antiquity in the parish is an old ruin called the Castle of Gartly. In Chalmers's Life of Mary Queen of Scots, it is stated that this beautiful but unfortunate Princess, on her return from an excursion to Inverness and Ross-shire, 'repassed through the country of the Gordons. She remained a night at Gartly, where there is still a ruined castle.'" (The New Statistical Account of Scotland, number xi., p. 97.)]

<sup>2</sup> ["A stone coffin was lately found on the farm of Coldrain. There was also lately found, in a cairn on the farm of Faich-hill, an urn containing bones ; and a large one, pretty entire, on the farm of Riskhouse." (The New Statistical Account of Scotland, number xi., p. 97.)]

There is a chappel at Braland-know, north-west from Miln of Collithie, and a well at Bucharn, dedicated to St. Andrew, two miles south-west from Huntly.

It is a country very pleasant and fertile of corns and pasturage. Its length, from Coridown west, to Stodfield east, is six miles ; and its breadth, from Westseat south, to Edindiack north, three miles.

Decreitt aganis Patrik Berclay of Granttuly.<sup>1</sup> (16th February, 1489.)

The lordis auditouris decrettis and deliueris that Patrik Berclay of Granttuly sall content and pay to James Tuinge burges of Edinburgh as cessionare and assignay to Alexander maister of Huntle a last of salmonde full rede and swet of the bynd of Banff gude merchand ware saltit with gret salt for the quhilk the said Patrik Barclay is bundin be his obligatione vndir his sele and subscriptione manuale schewin and producit before the lordis to the said maister of Huntle / And ordinis oure Souerane Lordis lettrez be direct to distrenye the said Patrik his landis and gudis thairfore and to mak the said James be payit thairfor eftir the forme of the said maister of Huntleis assignatioune vndir his sele and subscriptione manuale schewin and producit before the lordis / And the said Patrik wes summond to this actioun oft tymmes callit and nocht comperit .

<sup>1</sup> [From the *Acta Dominorum Auditorum*, p. 138. See also the *Acta Dominorum Concilii*, pp. 188, 266.

"Andreas de Berclay dominus de Grantoly et Birkynhill" is one of the witnesses to the homage which was made by Hugh Fraser, lord of Loveth, and parcener of the lands of the Ard, to Alexander bishop of Murray, in the chapter house at Elgin, on the twelfth of December, 1367, for the lands and fishings which he held of the church of Murray. (*Registrum Episcopatus Moraviensis*, pp. 368, 369.)

"There were two considerable families of the name of Barclay of ancient standing in Aberdeenshire, *videlicet*, Towie and Gartly. William Barclay, author of the treatise *Contra Monarchomachos* and father of the famous John, author of the *Argenis*, was a grandson of Patrick Barclay, baron of Gartly, who stood firm to King James the Third in the dispute betwixt that Prince and his nobility." (James Man's Introduction to *Memoirs of Scottish Affairs*, reprinted in James Gordon's *History of Scots Affairs* from MDCXXXVII to MDCXLI, appendix to the preface, vol. i. p. [xvii].) See Collections for a History of the Shires of Aberdeen and Banff, p. 82, note <sup>1</sup>, and the authorities there referred to.]

## THE PARISHES OF RHYNNY AND ESSIE.

DESCRIPTION OF THE PARISHES OF RYNNIE AND ESSIE.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

ESSIE was once a chappel to the parish church of Rynnie.

In Essie is the manor of Lismore; and in this parish Lugthac was overthrown.<sup>2</sup><sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.

"The parishes of Rhynie and Essie were united at a remote period. The church of Essie was used as a place of worship till about thirty years ago, when it became ruinous: since that time the pariah has been generally known by the name of Rhynie only." (The Statistical Account of Scotland, vol. xix., p. 289. Edinb. 1797.)]

<sup>2</sup> [ . . . "That ilke yhere  
That this Makbeth wes browcht in bere,  
Lulawch fule ras, and he  
As Kyng regnyd monethis thre.  
This Malcolme gert sla hym syne  
Wythin the land of Straybolgyne,  
As is wytnyasyd in the wers  
All thus in Latyne to rehers:

*Mensibus infelix Lulach tribus extiterat Rex:*

*Armis ejusdem Malcolomi cecidit.*

*Fata viri fuerunt in Strathbolgyne apud Esseg:*

*Hec sic incaute Rex miser occubuit."*

(Wyntownis Cronykil, b. vi., c. xix., ll. 47—58; vol. i., pp. 242, 243.) "Subito namque post mortem Machabedae convenerunt quidam ex ejus parentela sceleris hujusmodi fautores, suum consobrinum, nomine Lulach, ignomine fatuum, ad Sconam ducentes, et impositum sede regali constituunt Regem: sperabant enim sibi quasi Regi populum obedire libenter. Nullus tamen illi parere volebat. aut aliquibus factis vel fiendis communicare. Audiens autem hoc Malcolmus, suos comites ipsum huc illucque persequendum emisit; sed in irritum quatuor mensibus suos deducunt conatus, donec in superioribus partibus scrutantes, inventum loco qui dicitur Essay provinciae Strathbolgy, cum suis sequacibus occidunt; vel, ut quidam tradunt, ibidem casu Malcolmus obvium habens interfecit, anno Domini millesimo quinquagesimo septimo, tertia die mensis Aprilis, hebdomadae Paschae feria quinta." (J. Forduni Scotichronicon, lib. v., cap. viii.; vol. i., p. 252. edit. Edinb. 1759.) Conf. Chronica de Mailros, pp. 51, 227. Edinb. 1835; Extracta e Variis Cronicis Scotiae, p. 59; Lord Hailes' Annals of Scotland, vol. i., pp. 2, 3. Edinb. 1776; Registrum Episcopatus Moraviensis, p. x.

"In the glen of Noth, (north side of the hill,) is a prodigious cairn of small stones, called



## PRESBYTERY OF STRATHBOGY—RHYNY AND ESSIE. 177

A DESCRIPTION OF THE PARIOCHES OF ESSIE AND RHYNIE.<sup>1</sup> (*circa* A. D.  
M.DCC.XXX.)

**T**HE parioch of ESSIE has to the north, the parioches of Cabrach and Glass ; to the south, Rhyne and Auchindore ; to the east, Rhyne and Glass ; and to the west, Auchindore and Cabrach.

The church lyes twenty-fyve miles north-north-west from Aberdeen ; twenty, south-south-west, from Elgin ; and eight, west from Huntly.

There is only in this parioch the mannor-house of Lesmore,<sup>2</sup> a little way Seats. east from the church.

The Cairn of Mildewen, which, I am told, means the grave of a thousand, or of a great number. Lord Hailes remarks, that Lulach, whom Macbeth's party set up, after the usurper's death, was afterward discovered in his lurking place in the parish of Essie in this neighbourhood ; but, as after a careful search, no marks of a battle can be found in this parish, perhaps this monumental pile may have been raised upon that occasion." (F. Douglas' Description of the East Coast of Scotland, p. 246.) " There is a tradition of a battle having been fought at a remote period about the middle of this parish ; and a large stone, about five feet diameter, on which there are some hieroglyphical characters, standing on The Moor of Rhyne, is said to have been erected in memory of the engagement. Part of this stone has been lately broken." (The Statistical Account of Scotland, vol. xix., p. 292.) " There are some monumental stones scattered throughout the parish, rudely carved with hieroglyphics, much defaced." (The New Statistical Account of Scotland, number, xlii., p. 1016. Edinb. 1843.)]

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>2</sup> [" To the west of The Top of Noth, on the low grounds, there still exist the ruins of the Castle of Lesmore, a stronghold once possessed by an ancient branch of the Gordon family." (The New Statistical Account of Scotland, number xlii., p. 1016.) At the visitation of the kirk of Rynie, by the presbytery of Strathbogy, on the thirteenth of August, 1651, Sir William Gordoune of Lesmore, " being asked whither or no ther was any land in that parisch that was giuen away (as is commonly said) to The Goodman, and used not to be laboured, answered, It was reported to him that ther was some of that in his owne maines, bot that he had a mynd, be the assistance of God, to cause labour the samen : Quherupon he was commended for his ingenuitie in declareing it, and exhorted to take paines shortly to haue it laboured." (Extracts from the Presbytery Book of Strathbogie pp. 208, 209. Aberdeen, printed for The Spalding Club, 1843.)

" JACOBUS GORDONIVS, alter, ex familia Lesmorea, Societatis Jesu presbyter, pius et doctus, non tamen aequali in patriam affectu ; nam cum in Chronologia sua saepe de Scotia rebus vere loqui potuisset et splendide, tacere maluit, neque enim ullum de regni nostratis exordio verbum apud illum : fuit tamen magnus vir, seu philosophica seu theologica spectemus studia. Tolosanum societatis collegium et rexit prudenter, et censu auxit feliciter ; ac postea Pictaviense semel, Burdegalense iterum, eodem successu pie adminis-

There is nothing remarkable in this parioch, save that the tyrant Macbeth lyes buried here.

Its length, from Bogncloach to Templen, is two miles; and its breadth, from Crane's-miln to The Ton-burn, as much. It produces good corn, in several places, and great plenty of pasturage and fewel.

This parioch is now united with

RHYNIE, in the shire of Aberdeen, and in the diocese of Murray; which parioch is bounded on the north by the parioches of Glass and Gartlie; on the south, by Clat and Kearn; on the west, by Essie and Auchindore; and on the east, by Kennethmont, or Kingethmont, and Gartlie.

The church stands upon the bank of Bogie, twenty-two miles north-north-west from Aberdeen; as many, south-south-west from Elgin; fourteen, north-north-west from Inverurie; twelve, west-north-west from Old Meldrum; six north-east, from Kildrummy Castle; one mile and an half, from Castle Forbes; and six, south-west from the presbytery seat at Huntly.

There is here no seat, nor river of note but Bogie.

Hills.

The Top of Noth<sup>1</sup> is a very remarkable hill here. It has a fountain on the very summit, without any current from it on the outside; but if a taper rod be put into the vein of the fountain, it comes forth, in twenty-four hours space, at a large issue at the foot of the hill, called Coul's Burn, after being carried three miles under ground by the force of the current.

travit. Edidit multa, sed ad me tantum venerunt: 'Chronologiae volumen i.; Chronologiae volumen ii.; In omnia D. Thomae Opera Theologica Commentar. MSS.; In universam Aristotelis Philosophiam Commentar. MSS.' Vivit adhuc in Galliis, et plura aeternitati consecranda procudit." (T. Dempsteri Hist. Ecclesiast. Gentis Scotorum, t. i., p. 332.) See also Sir Thomas Urquhart's Tracts, p. 116. Edinb. 1774; Maidment's Catalogues of Scottish Writers, p. 12; Dr. Irving's Lives of Scottish Poets, vol. i., p. 119.]

<sup>1</sup> ["A mile distant from the castle of Craig stands the great hill of Noth, from its high conical summit commonly called The Top of Noth; on which, overlooking an immense tract of country, are the remains of an ancient fortress, formerly thought to have been the mouth of a volcano, but now known to be one of those forts constructed of stones vitrified by the force of fire, of which kind many have been lately discovered in Scotland. From The Top of Noth, one has a most agreeable prospect of the pleasant and fertile Strath of Bogie." (F. Douglas' Description of the East Coast of Scotland, pp. 245, 246.) See also Dr. John Macculloch's Highlands and Western Islands of Scotland, vol. i., pp. 391, et seq. Lond. 1824. 8vo; Cordiner's Antiquities of the North of Scotland, pp. 10—14; G. Chalmers' Caledonia, vol. i., p. 472; Archaeologia Scotica, vol. iv.; The Statistical Account of Scotland, vol. xix., p. 292; The New Statistical Account of Scotland, number xlii., p. 1015.]

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Here are monuments in several places, thought to be the remains of heathen superstition, though many other fabulous stories are told of them.

The length of this parioch, from Rhynie, west, to The Raws of Noth, east, is three miles; and its greatest breadth, from north to south, about a mile. It is very fertile and pleasant, abounding with corns and pasturage, and well appointed for moss.

Decreit for Schyr Thomas Myretoune persoune of Ryny . <sup>1</sup> (25 October, 1493.)

The lordis of consale decrettis and deliueris that Johne of Arnot of that Ilke sall content and pay to Schyr Thomas Myretoune persone of Ryny the soume of x pundis vsuale money of Scotland aucht to him be the said Johne of termez bipast in parte of payment of the soume of xx pundis aucht be his obligacione schewin and producit before the lordis And ordinis that lettrez be writtin to distrenye the said Johne his landis and gudis tharfore and he wes summonde to this actione oft tymmes callit and nocht comperit .

<sup>1</sup> [From the *Acta Dominorum Concilii*, p. 317.

The erection, by Bricius bishop of Murray, of the church of Rynyn into one of the eight prebends of the cathedral church of his diocese, was ratified by his successor, Andrew de Moravia, in a synod of his clergy held in the church of Saint Giles the Abbot, at Elgin, on the fifth of May, 1226: "Prima [prebenda] est ecclesia de Rynyn cum omnibus ad eam juste pertinentibus . Secunda est ecclesia de Dunbanan et ecclesia de Kynnor cum omnibus ad eas juste pertinentibus . Tertia est ecclesia de Inuerketheny cum omnibus ad eam juste pertinentibus . Quarta est ecclesia de Elchy et de Buttharry cum omnibus ad eam juste pertinentibus . " (*Registrum Episcopatus Moraviensis*, pp. 73—76.) See also pp. 90—94. The prebendary of Ryny was bound to provide a subdeacon, to serve as his vicar in the cathedral church. (*Id.*, pp. 94, 361.) Master David Monypenny was prebendary of Ryny, from the year 1473 to the year 1489. (*Id.*, pp. 256, 257, 265.) In the year 1488 he was amerced in the seventh part of the fruits of his benefice, for contumacy and non-residence at the cathedral. (*Id.*, p. 261.) Alexander Hepburne was prebendary of Rynie, from the year 1539 to the year 1547; John Lesly was titular prebendary, Thomas Sutherland, usufructuary, of Rhyny, from the year 1547 to the year 1556; Thomas Sutherland was prebendary, from the year 1556 to the year 1557; James Gordon, son of the Earl of Huntly, was prebendary in the year 1560. (*Id.*, pp. xxiii, xxiv, 411.)

## THE PARISH OF GLAS.

DESCRIPTION OF THE PARISH OF GLASS IN ABERDEENSHIRE. A.D. M.DCC.XXVI.<sup>1</sup>

HE parish of Glass, or the green parish, as it signifys in the Irish, (being so denominate from the green hills wherewith it abounds), lyeth within Strabogy-land; being made up of the old parochin of St. Walach, and a part of St. Peter's parish, commonly called The Burnt Kirk.<sup>2</sup>

It is bounded on the south and south-east, with the parish of Gartley; on the west, with Cabrach or Strath Divern; on the north-west, with Morthloch, the first sea of the Bishop of Aberdeen; to the north, with Pittrifnie, from which it is divided by a small rivulet, which parteth the shirefdome of Aberdeen from Banff; on the north-east, with Kearny, which comprehendeth the rest of St. Peter's parish; on the east, with Dumbenan.

The river of Divern runneth through the said parish, and divides the parish; whose fountain and rise comes from ane high mountain in the Cabrach, called The Buck, where it is but small, until it meet with the The Black Water, whose rise is in another hill called The Stepler, and entereth into Divern at Auchorichin. This river of Divern runneth from south-east to north-east, untill it entereth into the sea at the burgh of Banff, being weel stored with salmon and other litle fishes. There is no bridge on all this river, but one stone bridge at The Raws of Huntly, commonly called Strathbogie.

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Bibl. Adv.]

<sup>2</sup> ["Two annexations have been made to the original parish of Glass. On the removal of the Bishop from Mortlach, in the twelfth century, a large district of that extensive parish was annexed to those of Glass and Cabrach. The other annexation, consisting of several of the best farms in the east end of the parish, taken from the parish of Drumdelgie or Peterkirk, now annexed to Cairnie or Botary, was made about the end of the seventeenth century, so that the original parish must have been small." (The New Statistical Account of Scotland, number xxxviii, p. 208. Edinb. 1842.) The lands of Edinglassie appear to have been separated from the parish of Mortlach, and annexed to that of Glass in the year 1650. (Extracts from the Presbytery Book of Strathbogie, pp. 113, 146, 147, 148. Stephen, parson of Glas, ("ego Stephanus persona de Glas subscribo") is one of the clergy of the diocese of Murray who adhibit their consent to the charter of Bricius their bishop, erecting eight prebends in the cathedral church of the Holy Trinity at Spyny, between the year 1208 and the year 1214. (Registrum Episcopatus Moraviensis, pp. 40—43.)]

The church standeth in the midle of the parish, hard by a little village, where there standeth ane yearly mercat on the third Tuesday of July, called St. Andrews Fair; and is distant from Strathbogy, four miles; from Morthloch, four miles; and from the toun of Keith, four miles; about a quarter of a mile from the water side northward.

In the west end of the parish, standeth the house of Beldorny, upon a rising ground, on the north bank of the river, belonging to Gordon of Beldorny,<sup>1</sup> south-west from the church, two miles.

Below this house, clos by the river side, are two natural bathes, called St. Wellach's<sup>2</sup> Bathes, much frequented in the summer time by sick folk, especially children, lying betwixt two rocks, about six or seven paces in length, with two of breadth, and four or five foot in depth, always full of water, even in the greatest drouth. About a quarter of a myle down the river, clos by the water side, there is ane ruinous kirk, called Wallach Kirk: some part of the walls do remain, with the font. There is a large church yeard about it, where many of the dead thereabout are entered to this day; with a glebe yet belonging to the minister of the parish, with some marks of the priest his house yet remaining. About a hundred paces beneth the kirk, is St. Walloch's Well, much frequented by sick folk.<sup>3</sup>

<sup>1</sup> ["Confirmatio ab Episcopo Moraviensi facta cartae venditionis a Georgio domino de Gordoun ac domino terrarum de Rothymurchus concessae consanguineo suo Alexandro Gordoun filio et heredi apparenti magistri Georgii Gordoun de Baldornye, terrarum ecclesiasticarum de Rothymurchus cum lacu, manerie seu fortalicio: tenendarum de Episcopo: reddendo 24 mercas annuatim: sine potestate excambii: apud Elgin, 4 Novemb. 1560, coram testibus, Georgio comite de Huntly, Alexandro Gordon de Strathoun, magistro Johanne Lesly rectore de Uue, Thoma Cuming de Altre, Georgio Dunbar rectore de Kilmowir, Jacobo Gordoun de Thulyangus, et domino Johanne Gibsone rectore de Unthank: Testibus ad confirmationem Episcopi, magistro Georgio Hepburn rectore de Dalry, Alexandro Blair camerario Sconae, Jacobo Hendersoun officario ejusdem, Jacobo Hepburn canonico Sconae, domino Waltero Ramsay, et magistro Andrea Strang, notariis: apud Sconam, 28 Martii 1561." (Registrum Episcopatus Moraviensis, p. 420.)]

<sup>2</sup> [See as to Saint Woloc, or Wolloch, Collections for a History of the Shires of Aberdeen and Banff, pp. 128—130.]

<sup>3</sup> [The presbytery of Strathbogy, at its meeting at Glas on the seventh of June of 1648, enjoined on the minister and elders of the parish that they should "censure all superstition at Wallak Kirk." (Extracts from the Presbytery Book of Strathbogie, p. 89.) The editor (pref. pp. xiv, xv,) remarks that "the superstition at Wallak Kirk, has continued to the present, or at least, until recent times. The church of the ancient parish of Dumeth, which now forms part of that of Glass, was dedicated to Saint Wolok. 'Walla Kirk' and 'Kirk-yard' are situated on a haugh, immediately below the castle of Beldorney,

About half a mile below the said Wallach Kirk, lyeth the lands of Dummeath, which were gifted by King Malcome the Second to the church; but are now in possession of Duff of Braco.

To the north-east, by the river side, standeth the ruinous house of Edinglassie,<sup>1</sup> (a mile below Beldorny, and south-west from the church of Glass, the like distance) once belonging to the late Sir George Gordon of Edinglassie, father to the present Carnousie; but is now in the possession of the said Braco. About a quarter of a mile below this house, runneth a considerable burn, which runneth into Divern, over which the said Sir George built a stone bridge of one arch, upon which is engraven his name and arms. Near to this bridge standeth ane miln with a litle village and tolbooth, which he deessigned for a burgh of baronie.<sup>2</sup> At the said village is holden ane yearly mercat, on the Tuesday before Cristmass, called St. Wallach Fair.

On the south side of the river, within fifty paces thereto, standeth the house of Aswanly, south-east from the church half a mile, in a pleasant situation, whereby there runneth a small burn be east the house, called The Hallburn, which falleth into Divern. Near to the house, within a pair of butts, is a pleasant wood be east the same, with variety of trees and other shrubs, but chiefly of birch and allers,

on the precipitous bank of the Deveron. The Saint's Well is near to the church, and was formerly much resorted to by diseased persons; and, even in our own day, it is said, a solitary pilgrim may sometimes be seen brushing away the dews, on a summer morning, on his way to 'Walla Kirk.' Two pools, called bathas, formed by the flowing of the Deveron between two rocks, were also held in great estimation for effecting cures in the month of May; and till lately, multitudes of diseased children were bathed in these pools, on the first day of that month, and their caps or some other part of their attire left floating on the water."]

<sup>1</sup> [See Historical Account of the Origine and Succession of the Family of Innes, collected from authentick writs in the chartor-chist of the samen, pp. 57, 58. Edinb. 1820. 4to: "As to Innermarky, he was forced for a while to take the hills, and when he wearied of that, he had a retreat of difficult access within the house of Edinglassie, where he slept in litle enough security; for in September 1584, his house was surprized by laird Robert, and that retireing place of his first entred by Alexander Innes, afterwards of Cotts, who all his life was called *Craig in Perill*, for venturing upon Innermarky, then desperate, and whose cruelty he helped to repay in its own coine. There was no mercy for him; for slain he was, and his hoar head cutt off, and taken by the widdow of him whom he had slain, and carried to Edinburgh, and casten at the King's feet: a thing too masculine to be commended in a woman."]

<sup>2</sup> [See Municipal Corporations (Scotland). Appendix to the General Report of the Commissioners, p. 66. Lond. 1835. fol. Presented to both Houses of Parliament, by command of His Majesty.]

about a mile of length, and a quarter in breadth<sup>1</sup> And there is two things for which the house is chiefly famous, and these are: *primo*, a daughter thereof was married to the house of Huntly, who bore two sons, commonly called Jok and Tam: Jok had three sons, Buckie, Pitlurg, and Lismore, whose posterity do possess their heretage and possessions to this day, but of doubtfull precedency, for the pedigree is uncertain: After the death of the mother of Jok and Tam, Huntley married the Kings only sister (and settled the estate and honours upon her issue, disinheriting the children of the first marriage), who bore ane only daughter, married to one of the house of Wintoun, by whom came the Seatoun [- Gordons.] The second thing is the way and manner the ancestors of the present Asswanly came to the inheritance, which was thus: There was one Hutcheon Calder in company with Huntley when he went to the batell of Brichen against the Earle of Crawford, who by his cunning and courage got into the camp of Earle Beardy, and likewise into his tent, who, after supper, brought away the said Earl's drinking cup, (which cup Calder of Asswanlie keeps to this day,) being a large silver cup, overlaid with gold, holding a Scots pint and two gills, of fine engraven and carved work, and with a cape upon which there is ane inscription, which is now lost; wherewith returning to the camp, in the silence of the night, he gave account to Huntley of the situation of Earle Beardy's camp, and number of his forces; and, as a testimony of his being there, produced the said cup: upon which intelligence they attacked Crawford in the morning, and defeated his forces; for which service the said Hutcheon Calder obtained the lands of Aswanlie, whose posterity possess it to this day.<sup>2</sup>

In the east end of the parish, and north side of the river, lyeth the ruinous house of Cairnborrow,<sup>3</sup> east from the church a mile, and west from Strabogie

<sup>1</sup> ["There are some fine old trees of ash and plane about the old mansion houses of Aswanly and Beldorney, and the whole scenery about the latter is grand and picturesque." (The New Statistical Account of Scotland, number xxxviii., p. 207.)]

<sup>2</sup> [See A Concise History of the Antient and Illustrious House of Gordon, by C. A. Gordon, pp. 42—44. Aberdeen. 1754. 8vo; Nisbet's System of Heraldry, vol. ii., part iv., appendix, pp. 230, 231, edit. ult.]

<sup>3</sup> ["The day before the battle of Glenlivet, [A.D. 1594.] the Marquis of Huntly came to Cairnborrow, and applied to his lady, who was supposed to rule the roast, for her assistance. She said she had got short warning; but that her old man, with his eight sons, with a jackman and a footman to each, should attend him immediately. Huntly thanked her; and after some more conversation with her, desired Cairnborrow, who had spoke never a word, to stay at home, telling him, that at his advanced years it was not proper to take him along, especially as he had so many of his sons. The old man heard him out, and, shrugging up his shoulders, said, 'Na, na, my lord, I'll blead the whelps mysell; they'll bite the better.' This was at once the reply of a sportsman and a soldier; and the whole family went to

three miles, formerly belonging to the Gordons of Carnborrow, but now in the possession of Braco; Sir James Gordon of Park being the only representative of that house.

About half a mile to the east of this, is the King's highway from south to north, which divideth the parish from Cairny; and, through this parish, along the water side, leadeth the highway from Aberdeen to the Highlands.

In this parish are a great many lime quarries, from which the countrey about are supplied with lime, there being much moss there for burning of it, especially in the south side of the parish; from which runs a small rivulet called Gordon-burn, which divideth the parish of Glass from the parish of Gartley, and falls into Diveran at Arthlach, where is an inn for lodging passengers.

A DESCRIPTION OF THE PARISH OF GLASS.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

GLASS, or the *green parish*, (so called, being surrounded with green hills,) is de-

battle with the laird at their head. They defeated Argyle, and returned all safe to Cairn-borrow. The writer has seen a manuscript in which the names of the father, mother, and eight sons are all mentioned: 'John Gordon of Cairnborue married Bessie Gordon, daughter to the laird of Buckie, with whom he begat eight sons and three daughters. His sons were 1. John, laird of Cairnborue, afterwards of Edinglassie; 2. George Gordon of Sorbach; 3. James Gordon of Fermaghtie; 4. William, who coft Cairnborrow; 5. Mr. Arthur Gordon; 6. Thomas Gordon of Aitloch; 7. Robert Gordon of Gollachie; 8. Patrick Gordon of Craigston in Sutherland. All these with their father, and nine jackmen and as many footmen, went to Glenlivet battle.' (The Statistical Account of Scotland, vol. xix. p. 294. Edinb. 1797.)]

Carta alienationis concessa Joanni Gordoune de Carneborrow hereditibus suis masculis et assignatis, ab Alexandro magistro de Elphinstoune feoditario terrarum et baronie de Kildrimmy, cum consensu Alexandri domini de Elphinstoune patris ejus, domini vitalis redditus earundem terrarum, de terris de Belnaglak in baronia de Kildrimmy infra vicecomitatum de Abirdene: apud Kildrimmy, 23 Octob. 1605: testibus, Thoma Espleyne in Newbiging, Francisco Somervell, Jacobo Smith servitoribus dicti Magistri de Elphinstoune, magistro Arthuro Andersone et Alexandro Leask notariis publicis. Instrumentum saisine earundem terrarum, super preceptum in instrumento copiatum, datum eisdem die et loco eisdemque testibus qui in carta: ballivo, Joanne Gordoune filio legitimo dicti Joannis Gordoune de Carneborrow: procuratore, Georgio Andersone seruitore Gulielmi Gordoune apparentis de Carneborrow: testibus, Georgio Calder, Gulielmo Mulsone, Joanne Suttour, tenentibus in dicta villa de Belnaglak et Nicolao Stewart servitore Alexandri Coupar ibidem: notario publico, Alexandro Middiltoune: 20 Aug. 1606. (Original in the possession of the Club.)

<sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.]



dicated to Saint Andrew; and here Saint Andrew's Fair is held in July. The church has an isle.

This parish was taken out of Saint Peter's of Drumdelgie, and Saint Wolock's of Dummeth. Here are still to be seen Saint Wolock's Kirk (ruined,) and Saint Wolock's Well, with two pools between two rocks, called *baths*, esteemed of great virtue, so that children frequent them much in May.

A DESCRIPTION OF GLASS PARISH, IN ABERDEENSHIRE. BY JAMES FERGUSON.  
(A.D. M.DCC.XLII.)<sup>1</sup>

Glass parish is bounded, on the north, by Botriphny and Cairnie parishes; on the east, by part of Cairnie and Dumbennan parishes; on the south, by part of Dumbennan, *alias* Strathbogie, and Gartly parishes; on the west, by part of Ca-brach and Mortlach.

The church lies four miles, west and by south, from Huntly or Strathbogy; and has the river Dovert running near it, on the north syde. The length of the parish from north to south, is four miles; its breadth, three miles.

About a quarter of a mile to the south-east from the church, lies Calder of Aswanlie's house; and to the south-west, two miles, Gordon of Beldorny's.

About two miles south-east from the church, is an old chappel, called Wella Kirk, so termed by the peasants thereabout, who ascribe wonderful qualities to its water. There is another old chapel, two miles south-west from the church, called St. Peter's Kirk, both frequented as burial places.

Since the revolution, the ministers here have been Mr. Alexander Alexander,<sup>2</sup> who died A.D. M.DCC.XIV.; Mr. Syme,<sup>3</sup> now at Mortlach; and the present Mr. Chalmers, who was settled A.D. M.DCC.XXXVII. The number of examinable persons is about nine hundred. The Duke of Gordon is patron.

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>2</sup> [See F. Douglas' Description of the East Coast of Scotland, p. 149; List of Pollable Persons within the Shire of Aberdeen, 1696, vol. ii. p. 461. Aberdeen, 1844, 4to.]

<sup>3</sup> ["It is worthy of notice, that the maternal great-grandfather of Henry lord Brougham and Vaux, Mr. Walter Sim, was minister here about the beginning of last century, and was thence translated to the neighbouring parish of Mortlach, where he died." (The New Statistical Account of Scotland, number xxxviii., p. 205.) See also number xxviii., p. 448. Mr. Sim, or Syme, died on the sixth of January, 1763. (Shaw's History of the Province of Moray, p. 325.)]

THE PARISH OF CAIRNIE; OR THE UNITED PARISHES OF  
RUTHVEN, AND BOTARIE (OR SAINT MARTIN'S KIRK),  
WITH PART OF DRUMDELGY (OR SAINT PETER'S KIRK.)

A DESCRIPTION OF THE PARISH OF CAIRNIE.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)



HIS parish is made up of the three old parishes of Botarie, Drumdelgie, and Ruthven.<sup>2</sup>

<sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.]

<sup>2</sup> ["Cairny is made up of the united parishes of Botary, Rathven, and part of Drumdelgy. There are three churchyards in the parish: St. Peter's is considered as the most holy ground, and consecrated to the catholics." (The Statistical Account of Scotland, vol. xii., pp. 127, 128. Edinb. 1794.)

"In the church of Botarie there is a fragment of an aisle, belonging to the Gordons of Pitlurg, with the following inscription: 'SIR · IOHNE · GORDONE · OF · PETLVRG · KNYCHT · CAVST · BIG · THIS · ILR · IN · REMEMBERANS · OF · HIS · PREDICES · SOVRIS · QVHA · AR · BUREIT · HEIR · AND · TO · BE · ANE · BVRIAL · TO · HIM · AND · HIS · SVCCESOVVIS · SAE · LANG · AS · IT · PLESIS · GOD · THAY · CONTINEV · 1597.'" (Extracts from the Presbytery Book of Strathbogie, pref., p. viii., note.)

"The gable and belfry of the old church of Ruthven still remain, as well as part of the north wall of the church. In a niche of the latter there is placed the effigy of 'Tam of Rivan,' one of the sons of Sir Adam Gordon of Huntly. He is in full panoply, but there is no inscription to his memory. The belfry of Ruthven still contains a bell of fine tone, on which is the following inscription: Omne regnum in seipsum divisum desolabitur, 1643. The bell is generally known by the name of 'The Wow of Rivan,' and is said to have been brought from the Low Countries." (*Ibid.*) See also the *Archaeologia Scotica*, vol. iii., pp. 6—8, and plate 2, figure 3.

"In digging near the present church of Cairney (which is about two miles to the west of the old church of Rivan) a tomb was discovered, composed of flat stones, arranged so as to resemble a box without a bottom. The interior dimensions were four feet in length, three feet in breadth, and eighteen inches in depth. It contained a human skeleton, nearly entire: the head was at the east end of the tomb, and close beside lay an urn containing about a handful of mould. The urn is made of unburnt or half-burnt clay, evidently formed by the hand, without the use of a wheel; and part at least of the ornaments appear to have been impressed by a cord or notched tool. It is about six inches in height, and its circumference at the mouth is about eighteen inches." (Notes on some antiquities in the parish of Cairnie, in Aberdeenshire, by Andrew Dun, F.S.A., Scot. [December, 1836] MSS. Bibl. Soc. Antiq. Scot.) The urn is in the museum of the society.

The churches of Elchies and Botarie were erected into a prebend of the cathedral church

The church of Cairnie or Botarie, hath for its patron Saint Martin. Here is the pleasant bourn of Cairnie, amid birch and alder.

The church of Drumdelgie (which, having been once burnt, is called also The Burnt-Kirk) is dedicated to Saint Peter.

of Murray, by Bishop Andrew de Moravia, in a synod of his clergy held at Elgin, in the church of Saint Giles the Abbot, on the fifth of May, 1226: "*quarta prebenda est ecclesia de Elchy et de Buttharry cum omnibus ad eam juste pertinentibus.*" Among the clergy who adhibit their consent to the deed of erection is Gillemor vicar of Botarie: "*ego Gillemor vicarius de Buchtarry.*" (*Registrum Episcopatus Moraviensis*, pp. 73—76.) By the constitutions of Bishop Andrew de Moravia, the prebendary of Botarie was bound to find a deacon to serve as his vicar in the cathedral church (*Id.*, p. 94.); but, according to a later usage, (dating probably from the middle of the fourteenth century,) his vicar might be a subdeacon. (*Id.*, pp. 361, xviii.) The manse of the prebendary of Botarie stood near one of the gates of the chanonry at Elgin: in a general convocation of the canons of the church of Murray, held in the year 1489, it was ordained "*quod prope mansum de Botare erigatur porta lapidea cum lapideo muro ad hujusmodi portam necessario.*" (*Id.*, p. 268.) Lanslot de Moravia was prebendary of Botarie, from the year 1473 to the year 1489. (*Id.*, pp. 256, 257, 264, 265.) In the year 1488, he was amerced in the seventh part of his benefice, for contumacy and non-residence at the cathedral church. (*Id.*, p. 261.) James Strathauchin was prebendary of Botarie, from the year 1539 to his death, in the year 1566; William Strathauchin, from the year 1566 to the year 1567. (*Id.*, pp. xxiii, xxiv.) "*Duodecim capellani ecclesie cathedralis Moraviensis pro se et suis successoribus in et super se acceptant ad celebrandum hebdomadam tres missas ad altare Sancti Jacobi pro magistro Jacobo Stratawchin rectore de Botare, cum uno anniversario, in modum sequentem, videlicet: unam missam die Dominico, de Dominico seu festo occurrente dicto die, cum collecto pro salute amici; alteram die Martis, de Spiritu Sancto, cum collecto pro salute amici; tertiam die Jovis, de Corpore Christi, cum collecto pro salute amici, quamdiu magister Jacobus vivit, et ipso defuncto, cum collecto pro amico defuncto; cum anniversario annuatim pro quondam magistro Gilberto Stratawchin ejusdem patruo, durante vita dicti magistri Jacobi, die 26 mensis Martii; et ipso magistro Jacobo defuncto, eodem die pro dicto magistro Jacobo: Necnon ad celebrandum aliud anniversarium die 9 mensis Septembris annuatim pro animabus patris, matris, parentum et benefactorum dicti magistri Jacobi: Ad distribuendam quoque annuatim pauperibus summam 20 solidorum, pro anima dicti magistri, 10 solidos in die Commemorationis Animarum, et 10 solidos in die Parasceves. Ex altera parte vero dictus magister Jacobus facit fundationem capellanis praeftatae ecclesiae de summa 26 solidorum annuatim, de domo quam nunc tenet Florentius Runsiman, et de novo stabulo lapideo ad finem orientalem mansi de Botarie per ipsum edificato; et dat praeftatis capellanis et magistro Hugoni Cragye eorum nomine summam 120 librarum ad emendum terras seu annuos redditus pro dictis suffragiis fiendis et elemosina distribuenda; pro qua summa 120 librarum acquiritur annuus redditus 8 librarum et 8 solidorum praeftatis capellanis applicandus. Licitumque erit capellanis praeftatis cum velint suas vices praeftatorum suffragiorum renunciare, dummodo non participabunt de commodo. Ad quae premissa observanda capellani subscripti se astringunt et obligant pro se et suis successoribus: Hugo Cragye, Tyberius Winchestre, Johannes*

The church of Ruthven is now ruined, having fallen *anno* M.DC.LXXXIX. In this parish there is a chappel at Crommellat.

Gibson, Alexander Douglas, Willelmus Douglas, Jacobus Serras, Joannes Russaill, Willelmus Skade, Joannes Gibson nomine domini Joannis Annan, Jacobus Jonstoun, Willelmus Peterkin, Willelmus Hume. Actum in loco capitulari, 4 Maii, 1555." (*Id.*, p. 430.)

The churches of Ruthven and Dippil were erected into a prebend of the cathedral church of the Holy Trinity at Spyny, by Bricius bishop of Murray, between the year 1208 and the year 1214: "octava canonica ecclesia de Rothuan et ecclesia de Duppil cum omnibus earum justis pertinentiis." Among the clergy who adhibit their consent to the erection is Hugh parson of Ruthven: "ego Hugo persona de Rothuan." (*Registrum Episcopatus Moraviensis*, pp. 40—43.) The erection was confirmed by Pope Innocent III., on the twenty-second of December, 1214. (*Id.*, pp. 43, 44.) The prebendary of Ruthven and Dippil was bound to provide a priest to serve as his vicar in the cathedral church. (*Id.*, pp. 94, 361.) William Mowalt was prebendary of Ruthven and Dippil from the year 1473 to the year 1489. (*Id.*, pp. 256, 257, 259, 265.) William Hepburne was prebendary of Ruthven and Dippil from the year 1554 to the year 1557; Adam Hepburne, from the year 1560 to the year 1567; and Alexander Ogilvy, in the year 1567. (*Id.*, pp. xxiii, xxiv.) "Mr Adam Hepburn, parson of Dipple, granted to John Gordon of Craigullie a tack or lease of the teyndis of Ruthven in Strathboggie, of date July 18th, 1574, to which did consent and subscribe George bishop of Murray, Alexander Dunbar dean, James Muirton chantor, Dunbar archdean, John Kneycht parson of Duffus, William Sutherland parson of Moy, Robert Keith parson of Kinore, Alexander Leslie parson of Botarie, William Patterson subdean, and Archibald Henderson parson of Kingusie. The original was in the hands of Mr Milne, late of Speymouth." (*Shaw's History of the Province of Moray*, pp. 416, 417.)

"Assedatioun be the Bischop of Murray, to Johne Gordoun of Carrinborow and Elizabeth Gordoun his spouse, for nyntene yeris, of the teind schaves of the parochie of Drumdalgye, within the diocie of Murray and sheriffdome of Aberdene, for thretty thrie pundis sex schillingis and aucht penneis yerely: witnesses, Andrew Moncreiff, David Cumyng, Robert Hepburne, Sir James Sandeson, and Sir John Gibson person of Unthank: at Spyne and Elgin, 20 August 1569." (*Registrum Episcopatus Moraviensis*, p. 400.) "Literae assedationis ab Episcopo Moraviensi cum consensu capituli datae Georgio Barclaye de eodem et Margaretae Ogilvy ejus sponsae, decimarum garbaliu parochiarum de Grantuly et Drumdalgye, pro 19 annis, solvendo inde annuatim 290 merca: testibus domino Waltero Ogilvy de Boynd milite, Jacobo Dunbar de Tarbart, Georgio Ogilvy de Auquhannanye, Andrea Moncreiff juniore, dominis Jacobo Sibbald et Alexandro Robertstone servitoribus Episcopi: apud ecclesiam cathedralem Moraviensem, 24 Octobris 1556." (*Id.*, p. 407.)]

## THE PARISH OF ABERCHIRDER (OR SAINT MARNAN'S KIRK.)

DESCRIPTION OF THE PARISH OF ABERCHIRDER.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

HE church of Aberchirdir is dedicated to Saint Marnan. This Saint, who flourished about the middle of the seventh century, is reputed to have been a person of extraordinary sanctity, and of an apostolical spirit, travelling indefatigably, and making conversions everywhere. He dyed very old, and was buried at Aberchirdir, where the tradition is that he usually resided. In this parish ther is a stone (called Saint Marnan's,) hollowed out a little in the middle, and lying on a hill, where it is believed this Saint commonly rested. His feast is on the [second] of March, according to King's Calendar, which places him in the year D.C.LV. Camerarius nearly agrees with King. The collect used for his festival in Aberdene diocese was this: "Deus qui es vita in te credencium famulos tuos tibi suppliciter deprecantes exaudi: ut dum Beati Marnani confessoris tui atque pontificis solennia agimus in tui nominis amore valeamus ferventer accendi: Per Dominum."<sup>2</sup>

The Aberchirdirs of That Ilk possessed this parish of old, till Innes of That Ilk married the heiress, and so came to have this Saint for his patron.

Just beneath the church is Saint Marnan's Ford; and on a hill hard by is a stone, called Saint Marnan's Chair.<sup>3</sup>

At Chappeltoun, above half a mile beneath, is Saint John's Well, and Saint John's Ford over Dovern.

Mr. David, (son to Mr. John, minister at Dalmaik), second and last Gregory of Kinnairdie,<sup>4</sup> had a son, Dr. David, author of the Astronomy, but born, as we have

<sup>1</sup> [From a MS. account of Scottish Bishops in the library at Slaines.]

<sup>2</sup> [See as to Saint Marnan, or Marnoc, Collections for a History of the Shires of Aberdeen and Banff, pp. 597, 598, note.]

<sup>3</sup> ["Aberchirdir was the old name of this parish, which is now called Marnoch, the church being dedicated to St. Marnoch." (The Statistical Account of Scotland, vol. iii. p. 94. Edinb. 1792.) "A well near the manse is called the Saint's well, and another, at no great distance, the Lady's well. An annual market on the second Tuesday of March, for horses and cattle, is called Marnoch fair. On the bank of the Deveron is a place called Chapelton, where, no doubt, there had once stood a place of worship." (The New Statistical Account of Scotland, number xxxviii. pp. 382, 384, 386. Edinb. 1842.)

In "Ane Rentall of the Freris Predicatoris of Elgin, in anno 1555," occurs "Item, the baronie of Abircheirdor, x merkia." (Registrum Episcopatus Moraviensis, p. xxii. note.)

<sup>4</sup> ["A little below the bridge of Marnoch, stands the old tower-looking mansion of Kin-

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific information required.

1. The first of these is the fact that the United States is a free country. This means that we have a government of the people, by the people, and for the people. We have a system of checks and balances that prevents any one branch of government from becoming too powerful. We have a Bill of Rights that protects the freedoms of speech, religion, and assembly. We have a system of justice that is fair and impartial. We have a system of education that is free and compulsory. We have a system of health care that is universal. We have a system of social security that provides for the elderly and the disabled. We have a system of public housing that provides for the poor. We have a system of public transportation that provides for the convenience of the people. We have a system of public utilities that provides for the needs of the people. We have a system of public safety that provides for the protection of the people. We have a system of public works that provides for the improvement of the environment. We have a system of public art that provides for the enrichment of the culture. We have a system of public recreation that provides for the enjoyment of the people. We have a system of public information that provides for the knowledge of the people. We have a system of public opinion that provides for the expression of the people. We have a system of public participation that provides for the involvement of the people. We have a system of public service that provides for the benefit of the people. We have a system of public responsibility that provides for the accountability of the people. We have a system of public respect that provides for the dignity of the people. We have a system of public honor that provides for the recognition of the people. We have a system of public glory that provides for the achievement of the people. We have a system of public fame that provides for the recognition of the people. We have a system of public power that provides for the influence of the people. We have a system of public wealth that provides for the prosperity of the people. We have a system of public health that provides for the well-being of the people. We have a system of public happiness that provides for the satisfaction of the people. We have a system of public peace that provides for the tranquility of the people. We have a system of public order that provides for the stability of the people. We have a system of public justice that provides for the fairness of the people. We have a system of public equity that provides for the equality of the people. We have a system of public liberty that provides for the freedom of the people. We have a system of public justice that provides for the fairness of the people. We have a system of public equity that provides for the equality of the people. We have a system of public liberty that provides for the freedom of the people.

'... 1968 ... 1214)

[illegible]

It is a prebendary in the parish of the town of the same name with the Doverton. Its name is very ancient and interesting. The house is ancient; has been built at various times, and was, formerly, part of the property of the parish, held by the lord of Frendraught, where is at present Frendraught was in the neighbouring parish of Frendraught. (The New Statistical Account of Scotland, number xxxviii. p. 393.)

In the charter *recess* of the Duke of Roxburgh, at Floors Castle, there is a deed of resignation, dated at Edinburgh, in the year 1510, by Robert Colvill of Hilton, into the King's hands, in favour of Walter Innes of Touchis, of the dominical lands of Kynnardy, with their pertinents, called Le Langhelche, Forrestaresete, and Stokysfelde, and the forty-three shilling land of Myreside, lying in the barony of Aberkerdor, in the shire of Banff.]

<sup>1</sup> [See *Collections for a History of the Shires of Aberdeen and Banff*, p. 55, note; and the authorities there cited.]

\* ["On the west side of the parish stands the old castle of Crombie, now the property of the Earl of Seafield. It has the appearance of having been a place of some strength. It now consists of three stories." (The New Statistical Account of Scotland, number xxxvii. p. 384.)

"Near the centre of the parish stands the mansion-house of Auchintoul, once the residence and property of general Alexander Gordon, who entered the service of Russia as a cadet, under Peter the Great, and rose to high power and command in his army. He wrote in two volumes the history of his great master and friend. He died aged eighty-two years, and was buried in the churchyard here, but no memorial marks the spot." (*The New Statistical Account of Scotland*, number xxxviii. p. 385; *The Statistical Account of Scotland*, vol. iii. p. 96.)

\* (From the *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Bibl. Adv.)

eam juste pertinentibus . Tenendum in liberam et perpetuam elemosinam ita libere et quiete . et honorifice . sicut aliquam ecclesiam liberius et quocius habent . Testibus . Waltero capellano meo . Hugone Fretheskyn . Willemo de Bosco . et Hugone clericis meis . Henrico Revel . Henrico de Kynros . Waltero de Wictirlys . Michaelae de Ferendrach . Apud Kintor . xvij . die Septembris .

Carta Bricij episcopi Morauiensis de ecclesia de Aberkerdour .<sup>1</sup> (A.D. 1203—A.D. 1214.)

. B . Dei gracia Episcopus Morauiensis uniuersis sancte matris ecclesie filiis et fidelibus salutem in Domino . Nouerit vniuersitas vestra quod cum controuersia esset inter dominum Regem Willelmum . et nos . et . G . comitem de Marr . de iure patronatus ecclesie de Aberkerdour . ita amicabiliter conuenit inter nos . scilicet . quod quilibet nostrum totum jus quod se habere credebat in eadem ecclesia . concessit Deo et Sancto Thome Martiri et monachis de Aberbrocht . in liberam et perpetuam elemosinam . Sciant itaque presentes et futuri nos dedisse et concessisse . et hac carta nostra confirmasse . Deo et Sancto Thome Martiri et monachis de Aberbrocht predictam ecclesiam de Aberkerdour cum omnibus ad illam juste pertinentibus . eosdemque monachos in illam ecclesiam auctoritate Episcopali canonice instituisse . Quare uolumus ut predicti monachi de Aberbrocht prefatam ecclesiam de Aberkerdour cum omnibus ad illam juste pertinentibus habeant et teneant in liberam et perpetuam elemosinam . ita libere et quiete . plenarie et honorifice sicut aliquam ecclesiam . liberius . quocius . plenius et honorificencius . tenent . Salvis Episcopalibus . Concessimus eciam predictis monachis ut liceat eisdem fructus ejusdem ecclesie de Aberkerdour in proprios vsus conuertere . Hiis testibus . Willemo et Waltero capellanis Domini Regis . Lamberto capellano nostro . Hugone et Michaelae clericis nostris . Willemo de Boscho et Hugone clericis Domini Regis . Alexandro fratre nostro . Archibaldo senescallo nostro .

Carta comitis . G . de Marr de ecclesia de Abirkerdour .<sup>1</sup> (A.D. 1203—A.D. 1214.)

Gillecryst comes de Marr . Omnibus amicis et probis hominibus suis salutem . Sciant presentes et futuri quod cum controuersia esset inter Dominum

<sup>1</sup> [From the *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Bibl. Adv.]

Regem et . B . Episcopus Moravie et me de jure patronatus ecclesie de Aberkerdour . et in amicitia inter convenit inter nos . quod quilibet totum jus suum in eadem ecclesia habuit dedit Deo et Sancto Thome Martiri et monachis de Aberbrocht in perpetuam elemosinam . Unde sciant presentes et futuri me fecisse et concessisse . et hac carta mea confirmasse . Deo et Sancto Thome et monachis de Aberbrocht quicquid juris in predicta habui ecclesia cum omnibus ad eam juste pertinentibus . Tenendum in liberam et perpetuam elemosinam ita libere et quiete . et honorifice . sicut aliquam ecclesiam liberam et quietius habent . Testibus . Waltero capellano Regis . Wilhelmo de Boscho et Hugone clericis Regis . H . Freskyn . Henrico Reuel . H . de Kintros . Michaeli de Fereodrach . Bricio iudice Regis . Waltero de Wyngayre . et multis aliis .

*Carta Berthi Moraviensis Episcopi de terra pertinente ad ecclesiam de Aberkerdour .* <sup>1</sup> (A.D. 1203—A.D. 1222.)

. B . Dei gracia Moraviensis episcopus omnibus sancte matris ecclesie filiis literas istas visuris vel audituris eternam in Domino salutem . Sciatis me dedisse et concessisse . et hac carta nostra confirmasse . ecclesie Sancti Thome Martiris de Abirbrocht et monachis ibidem Deo serviuntibus et servitoribus in liberam et puram et perpetuam elemosinam . vnum davach terre quod pertinet ad ecclesiam de Aberkerdour et quicquid de illa terra percipere vel habere solebamus . Quare volumus quod predicti monachi teneant et possideant predictam terram cum rectis diuisis et pertinentiis suis ita libere . quiete . plenarie et honorifice sicut aliquam aliam elemosinam . liberius . quietius . plenius et honorificentius in regno Scotorum tenent et possident . Testibus . Willelmo de Boscho . Hugone de Sigillo . et . O . capellano Domini Regis . Freskyno decano . magistro . G . archidiacono Moraviense . Alexandro et Henrico fratribus nostris . Thoma capellano nostro . Michaeli clerico . Johanne de Crauford . et multis aliis .

*Confirmacio capituli Moraviensis de terra ecclesie de Aberkerdour .* <sup>1</sup> (A.D. 1214—A.D. 1224.)

Omnibus sancte matris ecclesie filiis literas istas visuris vel audituris . Capitulum ecclesie Sancte Trinitatis de Spynyn eternam in Domino salutem .

<sup>1</sup> [From the *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Bibl. Adv.; collated with a copy in the *Registrum Episcopatus Moraviensis*, pp. 251, 252.]



Sciatis venerabilem dominum et patrem nostrum in Christo . Bricium Morauensem episcopum . de communi consensu nostro . dedisse et concessisse . et carta sua confirmasse . ecclesie Sancti Thome Martiris de Abirbrocht et monachis ibidem Deo seruientibus et seruituris . in liberam et puram et perpetuam elemosinam . unum dauach terre quod pertinet ad ecclesiam de Abirkerdover . et quicquid de illa terra percipere solebat . Quare uolumus quod predicti monachi teneant et possideant predictam terram cum rectis diuisis suis et pertinentiis . ita libere quiete plenarie et honorifice . sicut carta ipsius Episcopi confirmat et testatur . Teste toto Capitulo nostro .

Confirmacio Andree episcopi Morauiensis de ecclesiis de Inuernys et Aberkerdour . <sup>1</sup> (A.D. 1223—A.D. 1242.)

Omnibus has litteras visuris vel audituris Andreas Dei gracia Morauiensis episcopus eternam in Domino salutem . Noueritis uniuersi nos concessisse et hac carta nostra confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbrocht . et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuernys cum capellis suis et terris et decimis et obuencionibus ecclesiasticis et omnibus aliis rectitudinibus ad eandem ecclesiam pertinentibus . similiter ecclesiam de Aberkerdour cum una dauacha terre eiusdem ecclesie et cum omnibus aliis pertinentiis suis . Quare volumus et concedimus ut predicti monachi predictas ecclesias de Inuernys et de Aberkerdour . cum omnibus ad eas iuste pertinentibus . habeant teneant et possideant in liberam puram et perpetuam elemosinam . ita libere et quiete . plenarie et honorifice . ut liceat eis redditus predictarum ecclesiarum in usus proprios conuertere . et pacifice possidere . et vicarios ydoneos nobis et successoribus nostris presentare . qui nobis nostrisque successoribus de spiritualibus et ipsis monachis prenominaſis respondeant de temporalibus . Saluis Episcopaliſis . et saluis tenuris eorum qui modo sunt vicarij perpetui in eisdem ecclesiis in eorum vita . Testibus domino Hugone archidiacono nostro . magistro Henrico thesaurario . Henrico decano de Ross . magistro Edwardo canonico de Elgyn . magistro Griffino de Valle . Radulfo capellano nostro . Michaelē . Andrea . Symone clericis nostris . et multis aliis .

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Ordinacio Symonis episcopi Morauiensis super vicariis de Abirkerdour et Inuernys . <sup>1</sup> (A.D. 1249.)

Omnibus hoc scriptum visuris vel audituris Symon miseracione diuina episcopus Morauiensis eternam in Domino salutem . Noueritis uniuersi hanc esse ordinacionem factam a nobis super vicariis ecclesiarum de Inuernys et de Abirkerdour . auctoritate nostra et de consensu et voluntate capituli nostri . et virorum venerabilium domini Abbatis et conuentus Sancti Thome Martiris de Abirbrothoc . videlicet . Quod quicumque pro tempore vicarius erit ecclesie de Inuernys eandem vicariam habeat et teneat in vita sua cum omnibus ad eandem vicariam pertinentibus . reseruatis predictis Abbati et conuentui de Abirbrothoc tota decima garbarum bladi et molen-dinorum et allecium et tribus marcis annuis de decimis confessionum Quadra-gesimalium . et saluis eisdem terris omnibus ad ecclesiam de Inuernys pertinentibus . Qui eciam vicarius iuxta ecclesiam habitacionem habebit quam modo habet vicarius . ubi nos et nostros et predictos Abbatem et suos ibidem aduentantes honeste recipiet . et ecclesie predictae de Inuernys et capellis suis honeste faciet deserui . et de omnibus Episcopalibus respondebit . Quicumque vero vicarius erit predictae ecclesie de Abirkerdour vicariam predictae ecclesie habebit et tenebit in tota vita sua integre plenarie et honorifice cum terra predictae ecclesie et oblacionibus et omnibus aliis rectitudinibus ecclesiasticis ad eandem vicariam iuste pertinentibus . saluis predictis domino Abbati et conuentui decimis omnibus garbarum integre tam omnis terre ecclesie quam tocus parochie de Abirkerdour . et saluis centum solidis annuatim persoluendis de dicta terra ecclesie de Abirkerdour in terminis ab eis statuendis . et saluis eisdem placitis et querelis de dicta terra . Quicumque vero vicarius erit ecclesie de Abirkerdour respondebit de Episcopalibus omnibus . et nos et officiales nostros et predictos Abbatem et suos ibidem aduentantes honeste recipiet . et predictae ecclesie de Abirkerdour in omnibus ad cultum Dei spectantibus honeste faciet deserui . In cuius rei testimonium presenti scripto una cum sigillo nostro appositum est sigillum capituli cum subscripcionibus canonicorum nostrorum . Hiis testibus . Radulpho rectore de Elechis . Thoma capellano . Willelmo de Inuernarn clerico . Johanne Beleramb .

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv. ; collated with a copy in the Registrum Episcopatus Moraviensis, pp. 276, 277.]

domino Thoma Wyseman vicecomite de Elgyn . Ricardo Marscallo . Hugone de Braythol . Roberto Nigro . Hugone Heroch burgensi de Elgyn . et aliis . Actum anno gracie . m° . cc° . xlviii° . ii . Nonas Februarij . Ego Symon episcopus subscribo . Ego Archibaldus decanus Moraviensis subscribo . Ego Willelmus archidiaconus Moraviensis subscribo . Ego Johannes precentor Moraviensis subscribo . Ego Andreas cancellarius Moraviensis subscribo . Ego Robertus thesaurarius Moraviensis subscribo . Ego Willelmus subdecanus Moraviensis subscribo . Ego Johannes succentor Moraviensis subscribo . Ego Willelmus de Dun canonicus subscribo . Ego Willelmus de Dychton canonicus subscribo .

Confirmatio vicariarum de Invernys et Aberkerdor per sedem Apostolicam . <sup>1</sup> (A.D. 1277.)

Innocentius episcopus servus servorum Dei dilectis filiis Abbati et conventui monasterii de Abirbrothoc ordinis Sancti Benedicti Sancti Andree dyocesis salutem et apostolicam benedictionem . Cum a nobis petitur quod justum est et honestum tam vigor equitatis quam ordo exigit rationis ut id per sollicitudinem officii nostri ad debitum perducatur effectum . Exhibita siquidem nobis vestra petitio continebat quod venerabilis frater noster Moraviensis Episcopus de Inuernys et Aberkerdor et quibusdam aliis ecclesiis Moraviensis dyocesis in quibus habetis jus patronatus et quas auctoritate sedis apostolice in usus proprios detinetis . pensatis ipsarum facultatibus diligenter . sui capituli accedente consensu . taxavit perpetuas vicarias prout in literis ipsius Episcopi confectis exinde dicitur plenius contineri . vestris igitur et dicti Episcopi supplicationibus inclinati quod super hoc ab eodem Episcopo provide factum est ratum et gratum habentes id auctoritate apostolica confirmamus et presentis scripti patrocinio communimus . Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Si quis autem hoc attemptare presumpserit indignationem Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursurum . Datum Lugduni . iii . nonas Maii . pontificatus nostri anno primo .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 280, 281.]

Abyrkerdor vicarij obligacio / quod pensionem octa marcarum solveret monasterio Sancti Thome de Abirbrocht . <sup>1</sup> (A.D. 1324.)

Notum sit omnibus presens scriptum visuris vel auditoris / quod cum ego Radulphus perpetuus vicarius de Abirkyrdor . virtute bulle apostolice contra me et dominos meos Abbatem et conuentum de Abirbrocht implete per dominum Abbatem de Kinlos unicum iudicem in eadem bulla delegatum . ad certos diem et locum coram certis commissariis eiusdem delegati legitime citatus / humiliter et obedienter comparuissem . ad respondendum in lite quam dicti domini mei Abbas et conuentus tunc mouebant super detencione centum solidorum annuorum sibi per me debitorum annis pluribus retroactis ratione terre ecclesie sue de Abirkyrdor . coram commissariis dicti domini iudicis delegati deputatis . in iudicio constitutus . apud Abirden in ecclesia Sancti Nycholai parrochiali de Abirden . bona fide recognoui me ad solucionem dictorum centum solidorum annuatim teneri / tam de terminis preteritis quam futuris . sed quia pretendebam paupertatem et exilitatem vicarie mee et vastitatem et sterilitatem terre ecclesie prenotate propter guerrarum euentus plurimos et frequentes de terminis retroactis . dicti domini mei Abbas et conuentus arreragia solucionum temporum transactorum tam liberaliter quam misericorditer michi sui gracia remiserunt . Unde ego grato et spontaneo animo . apud monasterium de Abirbrocht in pleno capitulo monachorum ejusdem loci . obligauit me / et obligo presenti scripto / per omnia bona mea mobilia et immobilia ecclesiastica et mundana ubi fuerint inuenta distringenda pro voluntate sua / ad solucionem dictorum centum solidorum de cetero annuatim ad Festum Sancti Martini integraliter nullo proponendo obstante . incipiendo primam solucionem ad dictum Festum Sancti Martini . anno gracie millesimo . ccc° . vicesimo quarto . apud ecclesiam de Aberkerdor . et sic de anno in annum et de termino in terminum toto tempore vite mee . Obligo me facturum solucionem pecunie memorate sub pena viginti solidorum fabrice cathedralis ecclesie Moraviensis applicandorum si / quod absit / in solucione dicte pecunie in toto vel in parte defecero seu soluere contradixero quoquo modo . In cujus rei testimonium sigillum meum presenti scripto est appensum una cum sigillo domini Archidiaconi Sancti Andree ad instanciam

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

meam apposito ad maiorem fidei firmitatem . Acta in Festo Sancti Laurencij Martiris . anno gracie suprascripto .

Instrumentum super appellatione ad sedem apostolicam ex parte Abbatis de Aberbrothoc / a processu Episcopi Moravie de fructibus ecclesiarum de Inuernys et Abirkerthor . <sup>1</sup> (A.D. 1371.)

In Dei nomine amen . Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini millesimo . ccc<sup>o</sup> . septuagesimo primo . duodecimo die mensis Augusti hora tertiarum . Indictione nona . pontificatus sanctissimi in Christo patris et domini nostri Domini Gregorii divina providentia Pape undecimi anno primo . In mei notarii publici et testium subscriptorum presentia personaliter constitutus discretus vir dominus Andreas Ox rector ecclesie de Inuerarity Sancti Andree diocesis procurator religiosorum virorum dominorum Abbatis et conventus monasterii de Aberbrothoc Sancti Andree diocesis quandam cedulam papiream ex una parte quasi totaliter conscriptam in manu sua tenuit et ipsam de verbo ad verbum perlegit . cujus quidem cedula tenor sequitur in hac forma . .  
 IN DEI nomine amen . cum appellationis seu provocationis remedium in subsidium oppressorum seu verisimiliter se opprimi timentium a jure salubriter sit inventum . hinc est quod cum vos reverende pater et domine Domine Alexander Dei gratia episcopo Moraviensis nuper ad monasterium de Scona Sancti Andree diocesis . in coronatione Domini nostri Regis Roberti jam regnantis . verbaliter intimastis venerabili in Christo patri domino Johanni abbati de Aberbrothoc ejusdem Sancti Andree diocesis quod ad instantiam magistri Eustachii vicarii de Inuernys vestre diocesis super quibusdam decimis ejusdem ecclesie processum ordinastis contra eum . cujus copiam cum idem Abbas a vobis cum instantia petivisset . et de eo antea non audivisset . respondistis quod ipse ad partes vestre Moraviensis diocesis per se vel per procuratorem declinaret ubi processum ipsum dimissistis et petitam copiam absque difficultate sibi traderetis . super quo idem Abbas satis confidens dum esset aliis monasterii sui negotiis impeditus ad vestram presentiam in Moravia discretos viros dominum Jacobum Fraser militem et Alexandrum Skirmechour procuratores pro se et conventu suo cum pleno mandato pro habenda ipsa copia ad finem deliberandi super dicto processu in quo sibi prodesse posset vel obesse specialiter destinavit .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 172-174.]

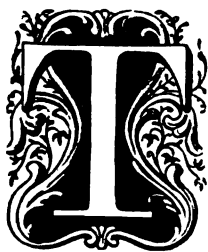
The church of Ruthven is now ruined, having fallen *anno* M.DC.LXXXIX. In this parish there is a chappel at Crommellat.

Gibsons, Alexander Douglas, Willelmus Douglas, Jacobus Serras, Joannes Russail, Willelmus Skade, Joannes Gibsons nomine domini Joannis Annan, Jacobus Jonstoun, Willelmus Peterkin, Willelmus Hume. Actum in loco capitulari, 4 Maii, 1555." (*Id.*, p. 430.)

The churches of Ruthven and Dippil were erected into a prebend of the cathedral church of the Holy Trinity at Spyny, by Bricius bishop of Murray, between the year 1208 and the year 1214: "octava canonica ecclesia de Rothuan et ecclesia de Duppil cum omnibus earum justis pertinentiis." Among the clergy who adhibit their consent to the erection is Hugh parson of Ruthven: "ego Hugo persona de Rothuan." (*Registrum Episcopatus Moraviensis*, pp. 40—43.) The erection was confirmed by Pope Innocent III., on the twenty-second of December, 1214. (*Id.*, pp. 43, 44.) The prebendary of Ruthven and Dippil was bound to provide a priest to serve as his vicar in the cathedral church. (*Id.*, pp. 94, 361.) William Mowalt was prebendary of Ruthven and Dippil from the year 1473 to the year 1489. (*Id.*, pp. 256, 257, 259, 265.) William Hepburne was prebendary of Ruthven and Dippil from the year 1554 to the year 1557; Adam Hepburne, from the year 1560 to the year 1567; and Alexander Ogilvy, in the year 1567. (*Id.*, pp. xxxiii, xxiv.) "Mr Adam Hepburn, parson of Dippie, granted to John Gordon of Craigullie a tack or lease of the teyndis of Ruthven in Strathboggie, of date July 18th, 1574, to which did consent and subscribe George bishop of Murray, Alexander Dunbar dean, James Muirton chantor, Dunbar archdean, John Kneycht parson of Duffus, William Sutherland parson of Moy, Robert Keith parson of Kinore, Alexander Leslie parson of Botarie, William Patterson subdean, and Archibald Henderson parson of Kingusie. The original was in the hands of Mr Milne, late of Speymouth." (*Shaw's History of the Province of Moray*, pp. 416, 417.)

"Assedatioun be the Bischop of Murray, to Johne Gordoun of Carrinborow and Elizabeth Gordoun his spous, for nynetene yeris, of the teind schaves of the parochie of Drumdalgye, within the diocie of Murray and sheriffdome of Aberdene, for thretty thrie pundis sex schillingis and acht penneis yerely: witnesses, Androw Moncreiff, David Cumyng, Robert Hepburne, Sir James Sandeson, and Sir John Gibson parson of Unthank: at Spyne and Elgin, 20 August 1569." (*Registrum Episcopatus Moraviensis*, p. 400.) "Literae assedationis ab Episcopo Moraviensi cum consensu capituli datae Georgio Barclaye de eodem et Margaretae Ogilvye ejus sponsae, decimarum garbaliarum parochiarum de Grantuly et Drumdalgye, pro 19 annis, solvendo inde annuatim 290 mercas: testibus domino Waltero Ogilvye de Boynd milite, Jacobo Dunbar de Tarbart, Georgio Ogilvye de Auquhannanye, Andrea Moncreiff juniore, dominis Jacobo Sibbald et Alexandro Robertsons servitoribus Episcopi: apud ecclesiam cathedralem Moraviensem, 24 Octobris 1556." (*Id.*, p. 407.)]

## THE PARISH OF ABERCHIRDER (OR SAINT MARNAN'S KIRK.)

DESCRIPTION OF THE PARISH OF ABERCHIRDER.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

HE church of Aberchirdir is dedicated to Saint Marnan. This Saint, who flourished about the middle of the seventh century, is reputed to have been a person of extraordinary sanctity, and of an apostolical spirit, travelling indefatigably, and making conversions everywhere. He dyed very old, and was buried at Aberchirdir, where the tradition is that he usually resided. In this parish ther is a stone (called Saint Marnan's,) hollowed out a little in the middle, and lying on a hill, where it is believed this Saint commonly rested. His feast is on the [second] of March, according to King's Calendar, which places him in the year D.C.LV. Camerarius nearly agrees with King. The collect used for his festival in Aberdene diocese was this: "Deus qui es vita in te credencium famulos tuos tibi suppliciter deprecantes exaudi: ut dum Beati Marnani confessoris tui atque pontificis solennia agimus in tui nominis amore valeamus ferventer accendi: Per Dominum."<sup>2</sup>

The Aberchirdirs of That Ilk possessed this parish of old, till Innes of That Ilk married the heiress, and so came to have this Saint for his patron.

Just beneath the church is Saint Marnan's Ford; and on a hill hard by is a stone, called Saint Marnan's Chair.<sup>3</sup>

At Chappeltoun, above half a mile beneath, is Saint John's Well, and Saint John's Ford over Dovern.

Mr. David, (son to Mr. John, minister at Dalmaik), second and last Gregory of Kinnairdie,<sup>4</sup> had a son, Dr. David, author of the Astronomy, but born, as we have

<sup>1</sup> [From a MS. account of Scottish Bishops in the library at Slaines.]

<sup>2</sup> [See as to Saint Marnan, or Marnoc, Collections for a History of the Shires of Aberdeen and Banff, pp. 597, 598, note.]

<sup>3</sup> ["Aberchirdir was the old name of this parish, which is now called Marnoch, the church being dedicated to St. Marnoch." (The Statistical Account of Scotland, vol. iii. p. 94. Edinb. 1792.) "A well near the manse is called the Saint's well, and another, at no great distance, the Lady's well. An annual market on the second Tuesday of March, for horses and cattle, is called Marnoch fair. On the bank of the Deveron is a place called Chapelton, where, no doubt, there had once stood a place of worship." (The New Statistical Account of Scotland, number xxxviii. pp. 382, 384, 386. Edinb. 1842.)

In "Ane Rentall of the Freris Predicatoris of Elgin, in anno 1555," occurs "Item, the baronie of Abirchirdor, x merkis." (Registrum Episcopatus Moraviensis, p. xxxii. note.)

<sup>4</sup> ["A little below the bridge of Marnoch, stands the old tower-looking mansion of Kin-

reason to believe, in the Upper Kirkgate of Aberdeen, in a house without the Port, which was then Kinnairdie's, but is now William Walker, dyers.<sup>1</sup>

The Donaldson's do now possess Kinnairdie, descended of an Elgin merchant, in the last age, as the Gordons do Ardmelie here, and the Duffa, Crombie<sup>2</sup> here.

*Carta Regis Willelmi de ecclesia de Abirkerdor.*<sup>3</sup> (A.D. 1203—A.D. 1214.)

Willelmus Dei gracia Rex Scottorum . Omnibus probis hominibus tocius terre sue clericis et laicis salutem . Sciant presentes et futuri quod cum contrauersia inter me et . B . episcopum Morauiensem . et . G . comitem de Marr esset de jure patronatus ecclesie de Abirkerdor . ita amicablem conuenit inter nos . quod quilibet nostrum totum jus quod in eadem ecclesia habuit dedit Deo et Sancto Thome Martiri et monachis de Abirbrocht in perpetuam elemosinam . Unde sciant presentes et futuri me dedisse et concessisse et hac carta nostra confirmasse . Deo et Sancto Thome et monachis de Abirbrocht . quicquid juris in predicta habui ecclesia cum omnibus ad

ardy, on a promontory at the junction of the burn of the same name with the Doveron. Its situation is peculiarly picturesque and commanding. The house is ancient; has been built at various periods; and was, together with much of the property of the parish, held by the Crichtons of Frendraught, whose chief residence of Frendraught was in the neighbouring parish of Forgue." (The New Statistical Account of Scotland, number xxxviii. p. 383.)

In the charter room of the Duke of Roxburghe, at Floors Castle, there is a deed of resignation, dated at Edinburgh, in the year 1510, by Robert Colvill of Hilton, into the King's hands, in favour of Walter Innes of Touchis, of the dominical lands of Kynnardy, with their pertinents, called le Langhelche, Forrestaresete, and Stokysfelde, and the forty-three shilling land of Myreside, lying in the barony of Aberkerdor, in the shire of Banff.]

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, p. 55, note; and the authorities there cited.]

<sup>2</sup> [" On the west side of the parish stands the old castle of Crombie, now the property of the Earl of Seafield. It has the appearance of having been a place of some strength. It now consists of three stories." (The New Statistical Account of Scotland, number xxxviii. p. 384.)

" Near the centre of the parish stands the mansion-house of Auchintoul, once the residence and property of general Alexander Gordon, who entered the service of Russia as a cadet, under Peter the Great, and rose to high power and command in his army. He wrote in two volumes the history of his great master and friend. He died aged eighty-two years, and was buried in the churchyard here, but no memorial marks the spot." (The New Statistical Account of Scotland, number xxxviii. p. 385; The Statistical Account of Scotland, vol. iii. p. 96.)]

<sup>3</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]



eam juste pertinentibus . Tenendum in liberam et perpetuam elemosinam ita libere et quiete . et honorifice . sicut aliquam ecclesiam liberius et quiecuis habent . Testibus . Waltero capellano meo . Hugone Fretheskyn . Willelmo de Bosco . et Hugone clericis meis . Henrico Revel . Henrico de Kynros . Waltero de Wictirlys . Michaelae de Ferendrach . Apud Kintor . xvij . die Septembris .

Carta Bricij episcopi Morauiensis de ecclesia de Aberkerdour .<sup>1</sup> (A.D. 1203—A.D. 1214.)

. B . Dei gracia Episcopus Morauiensis uniuersis sancte matris ecclesie filiis et fidelibus salutem in Domino . Nouerit vniuersitas vestra quod cum controuersia esset inter dominum Regem Willelmum . et nos . et . G . comitem de Marr . de iure patronatus ecclesie de Aberkerdour . ita amicabiliter conuenit inter nos . scilicet . quod quilibet nostrum totum jus quod se habere credebat in eadem ecclesia . concessit Deo et Sancto Thome Martiri et monachis de Aberbrocht . in liberam et perpetuam elemosinam . Sciant itaque presentes et futuri nos dedisse et concessisse . et hac carta nostra confirmasse . Deo et Sancto Thome Martiri et monachis de Aberbrocht predictam ecclesiam de Aberkerdour cum omnibus ad illam juste pertinentibus . eosdemque monachos in illam ecclesiam auctoritate Episcopali canonice instituisse . Quare uolumus ut predicti monachi de Aberbrocht prefatam ecclesiam de Aberkerdour cum omnibus ad illam juste pertinentibus habeant et teneant in liberam et perpetuam elemosinam . ita libere et quiete . plenarie et honorifice sicut aliquam ecclesiam . liberius . quiecuis . plenius et honorificencius . tenent . Salvis Episcopalibus . Concessimus eciam predictis monachis ut liceat eisdem fructus ejusdem ecclesie de Aberkerdour in proprios vsus conuertere . Hiis testibus . Willelmo et Waltero capellanis Domini Regis . Lamberto capellano nostro . Hugone et Michaelae clericis nostris . Willelmo de Boscho et Hugone clericis Domini Regis . Alexandro fratre nostro . Archibaldo senescallo nostro .

Carta comitis . G . de Marr de ecclesia de Abirkerdour .<sup>1</sup> (A.D. 1203—A.D. 1214.)

Gillecryst comes de Marr . Omnibus amicis et probis hominibus suis salutem . Sciant presentes et futuri quod cum controuersia esset inter Dominum

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Regem et . B . Episcopum Moraue et me de jure patronatus ecclesie de Abirkerdour . ita amicabilem conuenit inter nos . quod quilibet totum jus quod in eadem ecclesia habuit dedit Deo et Sancto Thome Martiri et monachis de Aberbrocht in perpetuam elemosinam . Unde sciant presentes et futuri me dedisse et concessisse . et hac carta mea confirmasse . Deo et Sancto Thome et monachis de Aberbrocht quicquid juris in predicta habui ecclesia cum omnibus ad eam juste pertinentibus . Tenendum in liberam et perpetuam elemosinam ita libere et quiete . et honorifice . sicut aliquam ecclesiam liberius et quocius habent . Testibus . Waltero capellano Regis . Wilhelmo de Boscho et Hugone clericis Regis . H . Freskyn . Henrico Reuel . H . de Kinros . Michael de Ferendrach . Bricio iudice Regis . Waltero de Wyctyllys . et multis aliis .

Carta Bricij Morauensis Episcopi de terra pertinente ad ecclesiam de Aberkerdour . <sup>1</sup> (A.D. 1203—A.D. 1222.)

. B . Dei gracia Morauensis episcopus omnibus sancte matris ecclesie filiis literas istas visuris vel audituris eternam in Domino salutem . Sciatis nos dedisse et concessisse . et hac carta nostra confirmasse . ecclesie Sancti Thome Martiris de Abirbrocht et monachis ibidem Deo seruientibus et seruituris in liberam et puram et perpetuam elemosinam . vnum davach terre quod pertinet ad ecclesiam de Aberkerdour et quicquid de illa terra percipere vel habere solebamus . Quare volumus quod predicti monachi teneant et possideant predictam terram cum rectis diuisis et pertinentiis suis ita libere . quiete . plenarie et honorifice sicut aliquam aliam elemosinam . liberius . quocius . plenius et honorificencius in regno Scotorum tenent et possident . Testibus . Wilhelmo de Boscho . Hugone de Sigillo . et . O . capellano Domini Regis . Freskyno decano . magistro . G . archidiacono Moraviense . Alexandro et Henrico fratribus nostris . Thoma capellano nostro . Michael clericico . Johanne de Crauford . et multis aliis .

Confirmacio capituli Morauensis de terra ecclesie de Aberkerdour . <sup>1</sup> (A.D. 1214—A.D. 1224.)

Omnibus sancte matris ecclesie filiis literas istas visuris vel audituris . Capitulum ecclesie Sancte Trinitatis de Spynyn eternam in Domino salutem .

<sup>1</sup> [From the *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Bibl. Adv.; collated with a copy in the *Registrum Episcopatus Moraviensis*, pp. 251, 252.]

Sciatis venerabilem dominum et patrem nostrum in Christo . Bricium Morauensem episcopum . de communi consensu nostro . dedisse et concessisse . et carta sua confirmasse . ecclesie Sancti Thome Martiris de Abirbrocht et monachis ibidem Deo seruientibus et seruituris . in liberam et puram et perpetuam elemosinam . unum dauach terre quod pertinet ad ecclesiam de Abirkerdover . et quicquid de illa terra percipere solebat . Quare uolumus quod predicti monachi teneant et possideant predictam terram cum rectis diuisis suis et pertinenciis . ita libere quiete plenarie et honorifice . sicut carta ipsius Episcopi confirmat et testatur . Teste toto Capitulo nostro .

Confirmacio Andree episcopi Morauiensis de ecclesiis de Inuernys et Aberkerdour . <sup>1</sup> (A.D. 1223—A.D. 1242.)

Omnibus has litteras visuris vel auditoris Andreas Dei gracia Morauiensis episcopus eternam in Domino salutem . Noueritis uniuersi nos concessisse et hac carta nostra confirmasse . Deo et ecclesie Sancti Thome Martiris de Abirbrocht . et monachis ibidem Deo seruientibus et seruituris . ecclesiam de Inuernys cum capellis suis et terris et decimis et obuencionibus ecclesiasticis et omnibus aliis rectitudinibus ad eandem ecclesiam pertinentibus . similiter ecclesiam de Aberkerdour cum una dauacha terre eiusdem ecclesie et cum omnibus aliis pertinenciis suis . Quare volumus et concedimus ut predicti monachi predictas ecclesias de Inuernys et de Aberkerdour . cum omnibus ad eas iuste pertinentibus . habeant teneant et possideant in liberam puram et perpetuam elemosinam . ita libere et quiete . plenarie et honorifice . ut liceat eis redditus predictarum ecclesiarum in usus proprios conuertere . et pacifice possidere . et vicarios ydoneos nobis et successoribus nostris presentare . qui nobis nostrisque successoribus de spiritualibus et ipsis monachis prenomatis respondeant de temporalibus . Saluis Episcopatibus . et saluis tenuris eorum qui modo sunt vicarij perpetui in eisdem ecclesiis in eorum vita . Testibus domino Hugone archidiacono nostro . magistro Henrico thesaurario . Henrico decano de Ross . magistro Edwardo canonico de Elgyn . magistro Griffino de Valle . Radulfo capellano nostro . Michaelae . Andrea . Symone clericis nostris . et multis aliis .

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Ordinacio Symonis episcopi Morauiensis super vicariis de Abirkerdour et Inuernys . <sup>1</sup> (A.D. 1249.)

Omnibus hoc scriptum visuris vel audituris Symon miseracione diuina episcopus Morauiensis eternam in Domino salutem . Noueritis uniuersi hanc esse ordinationem factam a nobis super vicariis ecclesiarum de Inuernys et de Abirkerdour . auctoritate nostra et de consensu et voluntate capituli nostri . et virorum venerabilium domini Abbatis et conuentus Sancti Thome Martiris de Abirbrothoc . videlicet . Quod quicumque pro tempore vicarius erit ecclesie de Inuernys eandem vicariam habeat et teneat in vita sua cum omnibus ad eandem vicariam pertinentibus . reseruatis predictis Abbati et conuentui de Abirbrothoc tota decima garbarum bladi et molen-dinorum et allecium et tribus marcis annuis de decimis confessionum Quadra-gesimalium . et saluis eisdem terris omnibus ad ecclesiam de Inuernys pertinentibus . Qui eciam vicarius iuxta ecclesiam habitacionem habebit quam modo habet vicarius . ubi nos et nostros et predictos Abbatem et suos ibidem aduentantes honeste recipiet . et ecclesie predicte de Inuernys et capellis suis honeste faciet deserui . et de omnibus Episcopalibus respondebit . Quicumque vero vicarius erit predicte ecclesie de Abirkerdour vicariam predicte ecclesie habebit et tenebit in tota vita sua integre ple-narie et honorifice cum terra predicte ecclesie et oblacionibus et omnibus aliis rectitudinibus ecclesiasticis ad eandem vicariam juste pertinentibus . saluis predictis domino Abbati et conuentui decimis omnibus garbarum in-tegre tam omnis terre ecclesie quam tocus parochie de Abirkerdour . et saluis centum solidis annuatim persoluendis de dicta terra ecclesie de Abirkerdour in terminis ab eis statuendis . et saluis eisdem placitis et querelis de dicta terra . Quicumque vero vicarius erit ecclesie de Abir-kerdour respondebit de Episcopalibus omnibus . et nos et officiales nostros et predictos Abbatem et suos ibidem aduentantes honeste recipiet . et pre-dicte ecclesie de Abirkerdour in omnibus ad cultum Dei spectantibus honeste faciet deserui . In cuius rei testimonium presenti scripto una cum sigillo nostro appositum est sigillum capituli cum subscripcionibus canonicorum nostrorum . Hiis testibus . Radulpho rectore de Elechis . Thoma capellano . Willelmo de Inuernarn clerico . Johanne Beleramb .

<sup>1</sup> [From the Registrum Vetus Cenobii de Aberbrothoc, MSS. Bibl. Adv.; collated with a copy in the Registrum Episcopatus Moraviensis, pp. 276, 277.]

domino Thoma Wyseman vicecomite de Elgyn . Ricardo Marscallo . Hugone de Braythol . Roberto Nigro . Hugone Heroch burgensi de Elgyn . et aliis . Actum anno gracie . m<sup>o</sup> . cc<sup>o</sup> . xlviii<sup>o</sup> . ii . Nonas Februarij . Ego Symon episcopus subscribo . Ego Archibaldus decanus Moraviensis subscribo . Ego Willelmus archidiaconus Moraviensis subscribo . Ego Johannes precentor Moraviensis subscribo . Ego Andreas cancellarius Moraviensis subscribo . Ego Robertus thesaurarius Moraviensis subscribo . Ego Willelmus subdecanus Moraviensis subscribo . Ego Johannes succentor Moraviensis subscribo . Ego Willelmus de Dun canonicus subscribo . Ego Willelmus de Dychton canonicus subscribo .

Confirmatio vicariarum de Invernys et Aberkerdor per sedem Apostolicam . <sup>1</sup> (A.D. 1277.)

Innocentius episcopus servus servorum Dei dilectis filiis Abbati et conventui monasterii de Abirbrothoc ordinis Sancti Benedicti Sancti Andree dyocesis salutem et apostolicam benedictionem . Cum a nobis petitur quod justum est et honestum tam vigor equitatis quam ordo exigit rationis ut id per sollicitudinem officii nostri ad debitum perducatur effectum . Exhibita siquidem nobis vestra petitio continebat quod venerabilis frater noster Moraviensis Episcopus de Inuernys et Aberkerdor et quibusdam aliis ecclesiis Moraviensis dyocesis in quibus habetis jus patronatus et quas auctoritate sedis apostolice in usus proprios detinetis . pensatis ipsarum facultatibus diligenter . sui capituli accedente consensu . taxavit perpetuas vicarias prout in literis ipsius Episcopi confectis exinde dicitur plenius contineri . vestris igitur et dicti Episcopi supplicationibus inclinati quod super hoc ab eodem Episcopo provide factum est ratum et gratum habentes id auctoritate apostolica confirmamus et presentis scripti patrocinio communimus . Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Si quis autem hoc attemptare presumpserit indignationem Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursurum . Datum Lugduni . iii . nonas Maii . pontificatus nostri anno primo .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 280, 281.]

Abyrkerdor vicarij obligacio / quod pensionem octa marcarum solveret monasterio Sancti Thome de Abirbrocht . <sup>1</sup> (A.D. 1324.)

Notum sit omnibus presens scriptum visuris vel audituris / quod cum ego Radulphus perpetuus vicarius de Abirkyrdor . virtute bulle apostolice contra me et dominos meos Abbatem et conuentum de Abirbrocht impetrare per dominum Abbatem de Kinlos unicum iudicem in eadem bulla delegatum . ad certos diem et locum coram certis commissariis eiusdem delegati legitime citatus / humiliter et obedienter comparuissem . ad respondendum in lite quam dicti domini mei Abbas et conuentus tunc mouebant super detencione centum solidorum annuorum sibi per me debitorum annis pluribus retroactis ratione terre ecclesie sue de Abirkyrdor . coram commissariis dicti domini iudicis delegati deputatis . in iudicio constitutus . apud Abirden in ecclesia Sancti Nycholai parrochiali de Abirden . bona fide recognoui me ad solucionem dictorum centum solidorum annuatim teneri / tam de terminis preteritis quam futuris . sed quia pretendebam paupertatem et exilitatem vicarie mee et vastitatem et sterilitatem terre ecclesie prenotate propter guerrarum euentus plurimos et frequentes de terminis retroactis . dicti domini mei Abbas et conuentus arreragia solucionum temporum transactorum tam liberaliter quam misericorditer michi sui gracia remiserunt . Unde ego grato et spontaneo animo . apud monasterium de Abirbrocht in pleno capitulo monachorum ejusdem loci . obligauit me / et obligo presenti scripto / per omnia bona mea mobilia et immobilia ecclesiastica et mundana ubi fuerint inuenta distringenda pro voluntate sua / ad solucionem dictorum centum solidorum de cetero annuatim ad Festum Sancti Martini integraliter nullo proponendo obstante . incipiendo primam solucionem ad dictum Festum Sancti Martini . anno gracie millesimo . ccc<sup>o</sup> . vicesimo quarto . apud ecclesiam de Aberkerdor . et sic de anno in annum et de termino in terminum toto tempore vite mee . Obligo me facturum solucionem pecunie memorate sub pena viginti solidorum fabrice cathedralis ecclesie Moraviensis applicandorum si / quod absit / in solucione dicte pecunie in toto vel in parte defecero seu soluere contradixero quoquo modo . In cujus rei testimonium sigillum meum presenti scripto est appensum una cum sigillo domini Archidiaconi Sancti Andree ad instanciam

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

meam appposito ad maiorem fidei firmitatem . Acta in Festo Sancti Laurencij Martiris . anno gracie suprascripto .

Instrumentum super appellatione ad sedem apostolicam ex parte Abbatis de Aberbrothoc / a processu Episcopi Moravie de fructibus ecclesiarum de Inuernys et Abirkerthor . <sup>1</sup> (A.D. 1371.)

In Dei nomine amen . Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini millesimo . ccc<sup>o</sup> . septuagesimo primo . duodecimo die mensis Augusti hora tertiarum . Indictione nona . pontificatus sanctissimi in Christo patris et domini nostri Domini Gregorii divina providentia Pape undecimi anno primo . In mei notarii publici et testium subscriptorum presentia personaliter constitutus discretus vir dominus Andreas Ox rector ecclesie de Inuerarity Sancti Andree diocesis procurator religiosorum virorum dominorum Abbatis et conventus monasterii de Aberbrothoc Sancti Andree diocesis quandam cedulam papiream ex una parte quasi totaliter conscriptam in manu sua tenuit et ipsam de verbo ad verbum perlegit . cujus quidem cedula tenor sequitur in hac forma . .

In Dei nomine amen . cum appellationis seu provocationis remedium in subsidium oppressorum seu verisimiliter se opprimi timentium a jure salubriter sit inventum . hinc est quod cum vos reverende pater et domine Domine Alexander Dei gratia episcopo Moraviensis nuper ad monasterium de Scona Sancti Andree diocesis . in coronatione Domini nostri Regis Roberti jam regnantis . verbaliter intimastis venerabili in Christo patri domino Johanni abbati de Aberbrothoc ejusdem Sancti Andree diocesis quod ad instantiam magistri Eustachii vicarii de Inuernys vestre diocesis super quibusdam decimis ejusdem ecclesie processum ordinastis contra eum . cujus copiam cum idem Abbas a vobis cum instantia petivisset . et de eo antea non audivisset . respondistis quod ipse ad partes vestre Moraviensis diocesis per se vel per procuratorem declinaret ubi processum ipsum dimissistis et petitam copiam absque difficultate sibi traderetis . super quo idem Abbas satis confidens dum esset aliis monasterii sui negotiis impeditus ad vestram presentiam in Moravia discretos viros dominum Jacobum Fraser militem et Alexandrum Skirmechour procuratores pro se et conventu suo cum pleno mandato pro habenda ipsa copia ad finem deliberandi super dicto processu in quo sibi prodesse posset vel obesse specialiter destinavit .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 172-174.]

quibus dictis Jacobo et Alexandro premissa a vobis petentibus sepius et instanter adtunc sibi tradi seu diem et locum sibi assignari ad exhibitionem ipsius processus ut facultas sibi daretur ipsum describere et copiare . respondebatis expresse quod non vacavit vobis ad tunc premissa petita implere nec scivistis diem aut locum alios assignare . unde iidem dominus Jacobus et Alexander sentientes Abbatem et conventum predictos in hoc contra justiciam pergravari protestabantur de appellando . et tedio affecti ad dominum suum distantem a vobis per plures dietas non sine gravibus laboribus et expensis infecto negotio sunt reversi . Unde Abbas ipse volens indemnitati sui monasterii precavere et per frequentes precum effusiones vestram putans captare benevolentiam . me Andream Ox procuratorem suum ad petendum et recipiendum copiam processus predicti et ad alia facienda que ad indemnitatem monasterii predicti necessaria forent seu etiam opportuna cum pleno mandato transmisit . quam quidem copiam quamvis sepius et diligenter petivissem ipsam tamen tradere nolulistis . Unde ex hiis et aliis pro loco et tempore proponendis perpendens quod parti adversæ nimium favetis nitentes jus ipsorum Abbatis suppressere et conventus . ex eo quod copiam processus predicti prout debetis tradere recusatis nec ipsum describendi conceditis facultatem . A vobis domine Alexander episcopo Moraviensis et a processu vestro predicto . anormalo ut suspicor et inepto nisi de novo fabricetur cum ipsum non audeatis in lucem deducere . ad sacrosanctam sedem apostolicam ego Andreas procurator predictus ipsorum Abbatis et conventus et procuratorio nomine in hiis scriptis provoco et appello . et apostolos instanter instantius et instantissime super hoc mihi peto exhiberi . subjiens ipsum Abbatem et conventum et monasterium predictum et omnes sibi adherentes seu adherere volentes ac universa eorundem bona mobilia et immobilia tuitioni defensionis et protectioni sedis apostolicæ supradictæ . Et ne vos domine Alexander episcopo seu aliquis deputatus a vobis contra ipsos Abbatem et conventum per viam suspensionis . excommunicationis . fructuum sequestrationis vel interdicti sententias aliquo modo procedatis vel procedat . cum sitis ipsius monasterii et monachorum patens inimicus . ipsos de triginta quinque libris sterlingorum de fructibus ecclesiæ sue de Abirkerthor contra Deum et justiciam ac indulta apostolica eidem monasterio concessa alias temere spoliando . quod probare intendunt ubi supra . super qua etiam injuria ad eandem sedem apostolicam eorum nomine personaliter vos appello . protestans nomine quo supra hanc appellationem innovare corrigere emen-



dare ac eidem addere et detrahere prout dominis meis supradictis et eorum consilio videbitur expedire . Ne vero processus vester sic sub modio conservatus Abbati et conventui predictis seu suo monasterio obsit . si per eum ad missionem in possessionem bonorum mobilium vel immobilium juste vel injuste forsitan processeritis . quod tamen facere non debuistis ipsis legitime non vocatis . vobis ipsorum et procuratorio nomine pro recuperatione possessionis ejusdem et interrumpenda prescriptione annuali cautionem offero et sum prestare paratus de stando juri et ea facere que de jure pro recuperatione possessionis ejusdem habent fieri in hoc casu . Si vero ad diffinitivam sententiam per vos sit forsitan processum . quod esset satis absurdum audire cum contra inauditam partem nichil poteritis diffinire . sententiaque ipso jure non teneat cum citationis edictum ad partis notitiam non devenit . et quamvis ipsa sententia ipso jure . penitus sit nulla . ab ea tamen provocho et appello in hiis scriptis . petens apostolos instanter instantius et instantissime sicut supra . quos si denegaveritis iterum provocho et appello ut supra . protestans ex habundanti nomine ipsorum Abbatis et conventus quod propter istam appellationem non intendunt recedere ab aliis appellationibus per ipsos prius interpositis sed eisdem inniti et per eas cum opus fuerit intendunt se juvare . . Post cujus quidem cedula lecturam fui per eundem dominum Andream procuratorem predictum cum diligentia requisitus ut super prescripta appellatione sibi facerem publicum instrumentum et ipsam appellationem sic interpositam in publicam formam redigerem et eandem signo meo consueto signarem . suis tamen sumptibus et expensis . Acta lecta interposita et publicata fuit hec appellatio in ecclesia cathedrali de Elgyne in Moravia sub anno die mense indictione et pontificatu prenotatis . Presentibus venerabilibus et discretis viris magistro Willelmo de Chesholme thesaurario Moraviensi . domino Johanne Bell rectore ecclesie de Kyngorn Sancti Andree diocesis . dominis Johanne de Flandris . Johanne de Tarres capellanis . Andrea de Feltoun . Thoma Glaswrycht . Johanne Aurifabro laycis . et pluribus aliis testibus ad premissa vocatis specialiter et rogatis . in presentia Domini mei supradicti .

Et ego Willelmus Leweryke clericus Brechinensis diocesis publicus apostolica et Imperiali auctoritate notarius [etc.]

Responsio Episcopi Moravie ad appellationem suprascriptam . <sup>1</sup> (A.D. 1371.)

Sanctissimo in Christo patri ac domino Gregorio divina providentia sacrosancte Romane ac universalis ecclesie summo pontifici orator suus humilis et devotus Alexander episcopus Moraviensis in Scotia cum sui recommendatione supplici devota pedum oscula beatorum . Beatissime pater et domine non solum ex perspicuis indiciis verum etiam ex ipsius experientia rei evidenter constat et colligi potest quod monachi mundo mortui voto frequentiori hodie mundo magis inserviunt et abjecto tam obedientie quam paupertatis proposito nimis affluentes divitiis in suos superiores protervius satagunt saltibus lascivire . ecclesiis ipsorum monachorum maneriis locis necessariis et edificiis dirutis destructis et desolatis . ipsis etiam ecclesiis ornamentis necessariis ac officiis divinis et sacramentis vacuis ac quasi penitus destitutis . vicariis conquerentibus . murmurantibus parochianis . non sine scandalo gravi et clamore valido ac animarum periculis aliisque multis gravibus et enormibus cotidie patentibus que breviter calamo nequeunt explicari . ad quorum defectuum reformationem dum locorum ordinarii ut tenentur descendunt et veniunt volentes visitationis officium debite perimplere statum ipsi monachi arroganter et proterviter presumunt et satagunt contra ipsos ordinarios ad appellationis diffugium convolare . sic quod sepius contingat et frequenter quod hujusmodi defectus ruine et dampna plurima per ipsorum monachorum maliciosam proterviam transeant et remaneant incorrecta . Nuper siquidem ad me veniens Andreas Ox presbyter Sancti Andree diocesis procurator ut asseruit et nomine procuratorio Abbatis et conventus monasterii de Aberbrothoc ordinis Sancti Benedicti prefate Sancti Andree diocesis . qui in diocesi mea Moraviensi duas ecclesias parochiales videlicet de Inuernys et de Aberkerdor optinent et ipsarum ecclesiarum rectores sive persone nuncupantur . quoddam scriptum appellationis si sic dici possit vel debeat nomine et ex parte ipsorum Abbatis et monachorum in ecclesia cathedrali Moravie . satis contemptuose et irreverenter prout in ipso scripto patet . mihi exhibuit . in quo me et a me ad sedem apostolicam appellavit . pretendens et allegans rationes frivolas et invalidas subsequentes . Primo enim verbis pluribus intermixtis dicit me prefatos Abbatem et monachos gravasse ob id et ex eo quod ipsi Abbati vel suis procuratoribus denegavi copiam cujusdam processus in quadam

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 175-180.]

causa decimali inter ipsum Abbatem et vicarium de Inuernys mota et coram me dependente et habita . a quo gravamine appellat *etc* . quod utique non est verum . verum est enim quod dum procuratores ipsius Abbatis copiam processus petebant sibi dari respondi quod processum penes me non habui remanentem sed possent venire ad locum ubi causa agebatur et scriptores erant qui processum sive acta illa judicialia si que forent conscripserant et possent habere copiam quam petebant . non enim in omnibus locis tabellionum copia datur querentibus nec sunt ibi notarii curie aut scriptores jurati qui facta judicialia conscribant et apud quos remanere debent sicut alibi habentur sed nunc unus nunc alius qui magis in promptu haberi poterit talia scribit . et sic propter defectum notariorum talia judicialia quandoque depereunt . non tamen in defectu judicis qualicumque . nec tenebar ut credo servare eum processum si quis esset semper et ubique exhibendum in sacco paratum quem per annum . . . . . et ultra respicere vel audire contumaciter et contemptibiliter spernebant ac etiam recusabant . testis enim michi est ipsa veritas quod nunquam ipsi Abbati vel procuratoribus suis processum sive copiam processus sponte aut ex proposito vel malicia subticui vel denegavi aut in aliquo contra ipsum processum quod quantum in me fuit jus vel causam juris sui perimeret vel lederet in quocunque . Subinferendo tamen interserit quod appellat a me et a processu meo anormalo . et in fine subdit cum citationis edictum ad partis noticiam non devenit . quod utique caret effectu et ipso primordio veritatis . presertim cum in principio litis hujusmodi cause mote ad primum citationis edictum comparuerunt viri venerabiles videlicet magister Willelmus de Spiny et Johannes de Bothuyll canonici Moravienses una cum aliis adjunctis procuratoribus ipsius Abbatis procuratorium sufficiens exhibentes qui in ipsis causa et lite diversis diebus et vicibus processerunt . et exinde in continuatione processus nulla facta fuerat citatio . quando apud ipsam ecclesiam de Inuernys super cujus fructibus litigabatur fuerat publicata et proclamationes publice facte ibidem coram populo ubi ipse Abbas habuit et habet procuratores suos continue qui ipsum premunirent et premunire possent si vellent et reddere certiore super quocunque litis vel cause strepitu vel processu . et non subito nec propere fiebant citationes vel proclamationes hujusmodi sed palam et publice et inter missarum solemnia etiam in ecclesia majore sive cathedrali ubi ipsa causa tractabatur proclamabantur et per intervalla quatragesima dierum et quandoque octo septimanarum . nec volente altissimo tenebar ad alienam diocesim mandata edicta

vel citationes transmittere ipsi qui certus fuit vel esse debuit quod causam initiatam sive inceptam in elusionem juris judicis et partis non deserere sed usque in finem continuare oportebat . Ex quibus evidenter colligitur quod non potest nec potuit hujusmodi processum factum vel habitum nec aliquam ipsius particulam ignorare nec sana conscientia dicere quod parte non vocata ad ipsius noticiam non devenit . ymmo verius non videtur audiri appellans cum maliciose et scienter neclexerit appellationis a jure statutum terminum observare pretextu cujus vim vel formam appellationis non continet nec poterit de jure continere . Secundo subjungit vocans me ipsorum Abbatis monachorum et monasterii inimicum patentem . annectens et specificans causam . videlicet quod ipsos de . xxxv . libris sterlingorum de ecclesia sua de Aberkerdor spoliavi . quod utique certo certius et luce clarius est omnino veritate destitutum et expresse mendacium continere . ac ipsam spoliationem et crimen spoliationis et omnem cujuscunque pecunie indebitam receptionem diffiteor nego et abnuo cum non sit officium sacerdotis . et dato quod de ipsa ecclesia de Aberkerdor aliqualis summa pecunie unde conqueratur vel murmuret idem Abbas ad aliquem de officiariis meis vel alium nomine meo devenerit . quod tamen non fateor nec credo verum esse . nuncquam tamen animo modo vel forma spoliandi vel alias quod absit injuriandi quantumcunque modicum habitum fuerat vel receptum . Et si quid etiam causa vel via juris ordinarii modo et ordine consueto nomine meo fuerit receptum ad respondendum debite me semper optuli et offero coram quocunque bono viro infra diocesim vel extra . sic quod spoliationem et omnem actionem seu causam spoliationis pretensam omnino nego repello penitus et excludo . Verum cum per ipsum Abbatem fictitie et malitiose ac minus credibiliter tangatur et opponatur mihi de causa spoliationis vel crimine . profecto contra ipsum opponentem merito et realiter potest obici et obicio quod opponit ac de hujusmodi spoliationis crimine ac expressa et violenta ecclesiastice libertatis et immunitatis invasione merito et effectu potest argui et notabiliter ac probabiliter reprehendi . presertim cum ipse Abbas flamina livoris succensus et ultionis voto non zelo justicie instinctus . postquam hujusmodi causa inter ipsum et prefatum vicarium de Inuernys mota fuerat et incepta . sprete omissa ac etiam omnino contempta via juris ordinarii . in contemptum inobedientiam et irreverentiam mee jurisdictionis ordinarie ymmo verius sedis apostolice sub cujus protectione speciali degit ecclesia mea Moraviensis supradicta . ex certa scientia et malitioso proposito ac

animo vindicte nequiter assumende . posuit constituit ac poni ac constitui procuravit ad ipsam ecclesiam ac villam de Inuernys laicos potentes quorum potentie ac ferocitati resisti non potuit quoquomodo . ut puta nobilem et magne potencie virum . W . de . F . qui nomine et ex parte dicti Abbatis cum armata et grandi manu ingressus violenter prefati vicarii domos . clausuras et ostia fregit et frangi fecit . victualia et res alias diversas ibidem repertas destruendo spoliando ac etiam in recessu suo secum asportando . atque persone et familiaribus ipsius vicarii diversimode injuriando . nec non et ipsimet vicario in persona ad mortem comminando in tantum quod in propriam domum introire non audebat nec alicubi in villa comparere sed intra ecclesiam compellebatur latitare clandestine quousque securitas per maximas instancias et proborum plurium interventum sive intercessionem a prefato potenti recepta fuerat pro eodem . dicebatque publice et palam et expresse nobilis supradictus ipsum ex parte auctoritate ac de consensu et mandato ipsius Abbatis penitus et non aliter hoc fecisse . cujus facti veritatem expressam et infallibilem arguit ymmo probat expresse et efficaciter experientia et series rei geste . nam constat quod non ante ingressum illius causa sive litis sed post et ante illam violentiam commissam nec non et tempore illius violentie commisse sicut et post et etiam continue usque in presens tempus prefatus nobilis et potens procurator ipsius Abbatis fuerat constitutus et in quibuslibet suis literis sive procuratoriis nominatim et specialiter comprehensus ac administrationem fructuum omnium prefate ecclesie de Inuernys ratione illius cause solus et in solidum optinens et disponens pro sue libito voluntatis . Ex quibus clare concludi potest quod non solum ad committendum violentiam supradictam ymmo ad occupandum violentiam et absorbendum et tollendum jus partis et ordinarie jurisdictionis gratis ex proposito prefati Abbatis malignissimo et protervissimo fuerat constitutus . neque ista malitia sive nequitia est contentus qui etiam in omnibus suis ecclesiis vel quasi constituit laicos potentiores qui vicarios suos pauperes de pensionibus eis debitis vel aliquibus particulis earundem unde saltem vitam pauperem ducere valeant spoliant vel detrahunt . etiam et populares opprimunt . ecclesiis et animabus debita servitia subtrahunt in tantum quod propter potentiam talium secularium nec ordinarii facere possunt ut ecclesiis eorum provideatur etiam de vilibus ornamentis . quod in ecclesia supradicta de Inuernys . qui etiam locus nobilis validus et insignis est et habundans in fructibus et multorum nobilium militum et aliorum virorum



igitur appellatio non sit iniquitatis vinculum set potius innocentis et oppressorum presidium nec a jure nec a iudice appellationibus frivolis sit inferendum . huiusmodi appellationi frivole malitiose et fictitie que nichilominus ut luce clarius est elapso penitus a jure statuto appellationis termino vim formam vel effectum appellationis non continet nec continere potest . nec rationibus sic in eadem insertis fictis maliciosius minus veris et inefficacibus non detuli nec deferre volui nec deferendum fore . luxi cum delatio huiusmodi si sic fieret redundaret proculdubio in dampnum et prejudicium non modicum plurium ecclesiarum cure animarum ac etiam personarum . quod non est tolerandum cum non sit indulgendum malitiis . tam justitia quam juris ordine suadente . habito etiam super hoc frequenti et diligenti peritorum consilio . ymmo ipsam et ipsas tanquam juri et rationi contrarias informes inutiles inefficaces repuli et recusavi repello et recuso . repellendas et recusandas fore duxi et decrevi . causam hanc et negotium auctoritati et jurisdictioni mee ordinarie sicut rursus in omnibus reservando . sacrosancte sedis apostolice reverentiaemper salva . hasque literas meas pro apostolis refutatoriis et loco apostolorum refutatoriorum si sic dici debeant sub sigillo meo eidem Abbati vel suo procuratori tradi feci et trado patentes dicte appellationi frivole annexas . ipsamque ac ipsas literas vestre sanctitati transmittito presentandas . In cujus rei testimonium presentibus apostolis refutatoriis ut remittitur sigillum meum una cum subscriptione et signo notarii infrascripti est appensum .

sententia contra vicarium ecclesie parrochialis de Abirkerdor super annua pensione centum solidorum sterlingorum . <sup>1</sup> (A.D. 1375.)

In Dei nomine amen . Cum nos Officialis curie Moraviensis ad instantiam magistri Willelmi de Spyny procuratoris religiosorum virorum Abbatis et conventus monasterij de Abbirbrothoc ordinis Beati Benedicti Sancti Andree diocesis / de cujus procuratorio sufficienti constabat / citaverimus et citari fecerimus . Dominum Johannem de Corshill perpetuum vicarium parrochialis ecclesie de Aberkerdor Moraviensis diocesis . ad causam quam ipse procurator nomine procuratorio dictorum Abbatis et conventus movebat contra ipsum super annua pensione centum solidorum sterlingorum et ipsius subtractione per decem annos preteritos / et super placitis et que-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

relis inhabitantium terram ecclesiasticam de Abirkerdor . Et ipse coram nobis primo die mensis Junij . anno Domini . m° . ccc° . lxxv° . in ecclesia parochiali de Elgyn comparuit coram nobis ac libellum in causa ipsa recepit / et . xxviii . diem mensis Junij ad respondendum eidem assignaverimus coram nobis . Verum eo illo die minime per se vel alium comparente . altera parte ipsius contumaciam accusante . nos ipsum reputavimus contumacem / et iterum ipsum citari fecimus peremptorie quod compareat coram nobis loco quo supra sexto die mensis Julij ad contestandum litem super libello predicto . Quo eciam die nec per se nec per responsalem comparuit et idcirco ad instantiam partis ipsius contumaciam accusantis ipsum reputavimus contumacem / et ad contestandum litem in causa predicta vel ad dicendum causam quare excommunicari non debet ipsum fecimus iteratum peremptorie citari ad . xiiij . diem mensis Julij . Quo die quia expectatus legitime nec per se nec per alium comparere curavit ad partis alterius instantiam ipsius contumaciam accusantis et petentis ipsum excommunicari in scriptis / nos ipsum reputavimus contumacem et excommunicavimus tunc in scriptis . et nichilominus ipsum fecimus iterato citari ad . xx . diem mensis Julij loco quo supra coram nobis ad dicendum quare missio non debet fieri in bona ipsius pro modo debiti in libello contenti . Porro eodem Domino Johanne in sua contumacia eciam illa die perdurante / instanter a nobis petiit procurator predictus se in possessionem bonorum ipsius Domini Johannis pro modo debiti in libello petiti primo mobilia si appareant alioquin immobilium causa rei servande induci . nos igitur recepto prius ab ipso procuratore calompnie juramento quo asseruit vera esse in sua petitione contenta et se credere ea posse rationabiliter petere / interloquendo pronunciamus et decernimus dictum magistrum Willelmum de Spyny procuratorem predictum nomine procuratorio ob contumaciam dicti Domini Johannis fore mittendum in possessionem bonorum suorum mobilia pro modo debiti in libello contenti . scilicet . ad estimationem quinquaginta librarum sterlingorum . Et quia nobis constat quod sua bona mobilia preter boves aratores ad tantam summam se non extendunt / petiit idem procurator mitti in possessionem illius terre ecclesiastice ratione cujus isti centum annuatim debentur et in possessionem placitorum et querelarum inhabitantium terram istam ecclesiasticam . et nos ipsum pronunciamus fore mittendum in possessionem earundem causa custodie . et missum seu inductum in dictam possessionem censura qua convenit debere defendi / eun-



dem absentem nichilominus eidem in expensis litis condemnandum / quarum taxationem nobis in posterum reservamus . Lecta lata et in scriptis pronunciata fuit hec nostra sententia in ecclesia parrochiali de Elgyn Moraviensis dyocesis . xxi° . die mensis Julij . anno Domini . m° . ccc° . lxx° . quinto . Indictione xij . pontificatus domini Gregorij anno quinto . Presentibus Domino Johanne de Ard succentore Moraviense . Adam de Tarays monacho . Berthomeo de Insulis . Roberto Pop . Johanne de Aberkerdor . et Johanne filio Hugonis decano Christianitatis de Elgyn . In premissorum autem testimonium presentem nostram sententiam sive decretum per notarium infrascriptum tunc presentem in formam publicam redigi fecimus et sigilli nostri appensione muniri . Datum anno mense loco Indictione et pontificatu quibus supra .

Et ego Johannes de Tarveys clericus Moraviensis diocesis publicus auctoritate Imperiali notarius premissis [*etc.*]

Responsio Willelmi episcopi Moraviensis scripta ad dominum Abbatem de Aberbrothoc / quod subsidium ad fabricam ecclesie cathedralis non dependet ex gratia beneficiati in diocesi sed ex debito .<sup>1</sup> (A. D. 1400.)

Sinceram in Domino caritatem pater reverende domine et amice karissime . Cum ecclesia Moraviensis proch dolor sit combusta et diocesis pro majori parte devastata . redditusque Episcopi et canonicorum adeo diminuti quod ipsi in facultatibus non suppetunt ad reedificationem ecclesie et ipsius fabricam continuandam . habito super hoc consilio . oportuit et oportet ad beneficia in diocesi extra ecclesiam recurrere et eis imponere et levare moderatum subsidium pro fabrica annuatim . et si de duabus ecclesiis vestris quondam in redditibus opulentis et adhuc juxta indispositionem patrie et temporis mediocribus quatuor marce jam leventur de tribus annis preteritis non habetis jus querele nec causam aliquam murmurandi . quia jura sustinent ut aliquando pro necessitatibus que superveniunt si rationabilis et manifesta causa substituerit moderatum auxilium in talibus beneficiis colligatur . in capitulo *Cum Apostolus* . DE CENSIBUS *etc.* et caritativum subsidium postulandum ab ecclesiis cum causa rationabilis extiterit jura volunt . et est de lege jurisdictionis . in capitulo *Conquerente* . DE OFFICIO ORDINarii . et capitulo preallegato *Cum Apostolus* . et ideo si placet de vestra gratia vel elemosina non dependet sed est onus ordinarium

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 213, 214.]

et ex debito persolvendum . Precipiat ergo collectoribus vestris de Abirkerdor ut nobis et ecclesie satisfaciant de dictis quatuor marcis . et de . xx . solidis de cautione camerarii vestri bene cito . quia aliter sequestrationem nostram fructuum non intendimus relaxare . Et quia ista facta sunt de maturo et digesto consilio ea de facili non possumus immutare . Valeat paternitas vestra reverende in gaudio et salute per tempora diuturna . Scriptum apud Elgyn . xx . die Augusti . anno Domini . m° . cccc° .

Presentacio ecclesie de Aberkerdor .<sup>1</sup> (A.D. 1484.)

David permissione divina Abbas confirmatus monasterij de Abirbrothoc et ejusdem loci conventus unanimi consensu et assensu capitulariter congregati . venerabilibus et scientificis viris vicariis generalibus decano et capitulo ecclesie cathedralis Moraviensis seu illi vel illis jurisdictionem potestatem et collacionem beneficiorum episcopatus Moraviensis sede ejusdem vacante quomodolibet habenti vel habentibus . reverencias debitas et honores . Ad vicariam de Aberkerdour Moraviensis diocesis nunc vacantem per decessum quondam magistri Jacobi Synklar ultimi vicarij et possessoris ejusdem / ad nostram presentationem pleno jure vestramque collacionem hac vice spectantem / dilectum nostrum capellanum Dominum Alexandrum Symson vobis et vestrum cuilibet jurisdictionem et potestatem in premissis habentibus animo non variandi sed accumulandi tenore presencium presentamus . Exortando rogantes quatinus dictum Dominum Alexandrum presentatum nostrum ad dictam vicariam recipiat et admittatis / eandemque sibi conferatis / ac ipsum vel procuratorem suum ejus nomine in realem actualem et corporalem possessionem ejusdem inducat et instituatis . inductumque et institutum canonice defendatis . sibi et procuratoribus suis de universis et singulis fructibus redditibus et proventibus obventionibus et proficuis dicte vicarie facere integre responderi . contradictores si qui sint per censuram ecclesiasticam arcus compescendo . ceteraque faciendo que vobis in premissis incumbunt peragenda . Datum sub sigillo nostro communi / apud capitulum dicti nostri monasterij . xxii . die mensis Decembris . anno Domini . 1484 .

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

**Assedacio decimarum garbaliū ecclesie de Aberkerdour Jacobo Innes de eodem facta .<sup>1</sup> (A.D. 1485.)**

Universis pateat per presentes nos David postulatum et confirmatum monasterij de Abbirbrothock / et ejusdem loci conventum / assedasse et ad firmam dimisisse dilecto nostro honorabili viro Jacobo Innes de eodem / Alexandro Innes filio suo / seu cuicunque alteri filio suo quem ipse voluerit assignare . totas et integras decimas garbales ecclesie nostre de Aberkerdour cum pertinenciis . pro terminis decem et trium annorum plenarie complendorum . Termino introitus dicti Jacobi / Alexandri filij sui / seu alterius filii sui quem assignaverit / ad dictam ecclesiam cum pertinenciis incipiente in Festo Sancti Petri datam presencium immediate sequente sine ulteriori dilacione . Solvendo inde annuatim dictus Jacobus / Alexander filius suus / seu alter filius quem assignaverit / nobis et successoribus nostris summam quadraginta sex librarum tredecim solidorum et quatuor denariorum monete Scocie / ad duos anni terminos Festa / videlicet / Pasche et Sancti Petri ad Vincula / sine dilacione quacunque . Et si dictus Jacobus / Alexander vel alius suus filius quem assignaverit / in solucione dicte summe ad terminos prescriptos vel infra triginta dies hujusmodi terminos sequentes defecerit / quod absit / licebit nobis et successoribus nostris de hujusmodi nostra ecclesia cum decimis cuicunque alteri disponere / ista assedacione non obstante . Et nos David abbas et conventus dictam nostram ecclesiam cum ejusdem decimis / dicto Jacobo et Alexandro filio suo seu cuicunque alteri filio suo quem assignaverit / pro terminis decem et trium annorum in omnibus et per omnia ut premissum est varantizabimus et prout jura volunt defendemus . Datum sub sigillo communi capituli nostri apud idem capitulum / quinto die mensis Februarij . anno Domini . 1484<sup>to</sup> .

**Commissio data certis procuratoribus penes limitationem terrarum ecclesiasticarum de Abirkerdor .<sup>1</sup> (A.D. 1493.)**

Nos David abbas monasterij de Arbroth et ejusdem loci conventus facimus constituimus et ordinamus dilectos nostros confratres dominos Alexandrum Mason priorem de Fywe . Alexandrum Crale camerarium nostrum . et magistrum Patricium Ogylwe vicarium de Forge . nostros indubitatos commissarios syndicos et procuratores ad comparandum coram reverendo in

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Cristo patre domino Andrea episcopo Moraviensi / aut ejus commissariis pluribus aut uno . et justiciario Suppremi Domini nostri Regis ex parte aque boriali de Forthe constituto / aut ejusdem deputato seu deputatis . die Martis octava die mensis Januarij proxime futuri / seu quibuscunque aliis diebus aut locis per eosdem assignandis . apud terras debatabiles de Aberkerdor inter Alexandrum Inness de eodem pro parte baronie sue de Aberkerdor / et dominum Alexandrum Symson vicarium ejusdem pro parte terre ecclesiastice sue de Aberkeyrdor / et quas dictus vicarius tenet de nobis . Et ibidem in causa seu causis hujusmodi terrarum debatabilium merchiarum divisarum metarum et finium cum communi pastura pro interesse nostro agendis dicendis et defendendis . et Dominos compromissarios aut majorem partem eorundem / ad hoc de consensu utriusque partis pro finali decisione litis mote in presencia dominorum concilij Domini nostri Regis specialiter electos / jurari videndum et audiendum / et virtute compromissi et acti desuper confecti eosdem compromissarios in omnibus et per omnia procedere requirendum . acta decretaque et deliberaciones eorundem ferri petendum et implorandum . jura registra et documenta nostra verbo et scriptis producendum . fines merchias metas et divisas hujusmodi terrarum debatabilium limitari assignari et confirmari postulandum . et generaliter omnia alia et singula faciendum que ad decisionem terrarum debatabilium cum communi pastura predicta virtute dicti compromissi / seu eciam rigore brevis perambulationis / de jure pertinere noscuntur . Ratum et gratum habentes et habituri totum et quicquid dicti commissarij nostri seu eorum alter conjunctim et divisim / aut eorundem substituti seu substitutus / in premissis rite duxerit seu duxerint faciendum / et que nosmet faceremus si presentes interessemus / cum pleno potestate judicio sisti et judicatum solvi cum ceteris clausulis necessariis et opportunis per presentes . Datum sub sigillo capituli nostri apud idem capitulum unanimi consensu . tercio Januarij anno Domini millesimo quadringentesimo nonagesimo secundo .

Perambulacio terrarum ecclesie de Aberkeyrdor vocatarum le Yochry et Achbrady . <sup>1</sup> (A.D. 1493.)

Universis sancte matris ecclesie filiis ad quorum noticias presentes litere pervenerint . Jacobus Ogiluy de Desfurd miles . Willelmus Meldrum de

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.; collated with a copy in the Registrum Episcopatus Moraviensis, pp. 246—251.]

Fyvy . Walterus Ogylwy de Boyn . Valterus Barclay de Tolle . Patri-  
 cius Byssat de Lessyndrum . Alexander Murray de Cuthbardy . Georgius  
 de Abyrnethyn . Johannes Currur de Durne . Thomas Bard de Ordynhuf .  
 Patricius Thayne vicarius de Inuerkethny . Alexander Hille . Fynlaus  
 de Monedy . Robertus frater Finlay . Johannes Hyll . Andreas Tait .  
 Villelmus Clark . Symon Corsky . Johannes Vylsone . Donaldus Car-  
 nusy . et Johannes Neyl . assisores arbitri arbitratores et communes  
 amici de et super debatabilibus terris per et inter Alexandrum Innes de  
 eodem ex una et Dominum Alexandrum Symsons vicarium de Aberkerdor  
 ex altera partibus . et specialiter super terris de le Yochry et aliis merchiis  
 et divisis . ex consensu ambarum parcium una cum consensu serenissimi  
 Regis Jacobi quarti Scottorum Regis illustrissimi . ac reverendi patris  
 Andree episcopi Moraviensis . et venerabilis patris David permissione divina  
 abbatis de Arbroth . in presencia subscriptorum dominorum concilij  
 prefati Supremi Domini nostri Regis / communiter electi / ut in instrumento  
 compromissi Johannis Tyry notarij publici inde confecto plenius habetur .  
 tenor cujus instrumenti sequitur et est talis . . IN DEI nomine Amen .  
 Per hoc presens publicum instrumentum cunctis pateat evidenter quod  
 anno incarnationis Dominice . m<sup>o</sup> . cccc<sup>o</sup> . xc<sup>o</sup> . secundo . mensis vero  
 Decembris die quinto . Indictione xi<sup>a</sup> . pontificatus sanctissimi in Christo  
 patris domini nostri Alexandri pape sexti anno primo . In mei no-  
 tarij publici et testium subscriptorum presencia personaliter constituti ho-  
 norabiles ac circumsperti viri Alexander Innes de eodem ex una / et Do-  
 minus Alexander Simsons vicarius de Abyrkerdor partibus ex altera .  
 cum expressu consensu et assensu excellentissimi domini nostri Regis  
 Jacobi quarti moderni . reverendi in Christo patris Andree episcopi Mo-  
 raviensis . et venerabilium dominorum David abbatis et conventus de  
 Arbroth . se sua mera et spontanea voluntate compromiserunt obligaverunt  
 et submiserunt in uberiori forma compromissi in forma speculatoris con-  
 ficiendi in personas in quodam acto subscripto contentas / prout in eodem  
 continetur / cujus tenor sequitur in hec verba . At Abyrdeyne the . v .  
 day of December the yeir<sup>e</sup> of our Lord . j<sup>m</sup> . iiij<sup>o</sup> nynte and tua yeiris .  
 In presens of the lordis of counsayle ondirvrytyne . that is to say . re-  
 verend and venerabile faderis in God Vlyame byschop of Abyrdeyne  
 prewe seyl . Andro byschop of Murray . Henry abbot of Kambus-  
 kynoth thesaurar . nobile and mychty lordis Archbald erle of Angus  
 lord Dowglas and chancellor of Scotland . Andro lord Gray master

vel citationes transmittere ipsi qui certus fuit vel esse debuit quod causam initiatam sive inceptam in elusionem juris judicis et partis non deserere sed usque in finem continuare oportebat . Ex quibus evidenter colligitur quod non potest nec potuit hujusmodi processum factum vel habitum nec aliquam ipsius particulam ignorare nec sana conscientia dicere quod parte non vocata ad ipsius noticiam non devenit . ymmo verius non videtur audiri appellans cum maliciose et scienter neclexerit appellationis a jure statutum terminum observare pretextu cujus vim vel formam appellationis non continet nec poterit de jure continere . Secundo subjungit vocans me ipsorum Abbatis monachorum et monasterii inimicum patentem . annectens et specificans causam . videlicet quod ipsos de . xxxv . libris sterlingorum de ecclesia sua de Aberkerdor spoliavi . quod utique certo certius et luce clarius est omnino veritate destitutum et expresse mendacium continere . ac ipsam spoliationem et crimen spoliationis et omnem cujuscunque pecunie indebitam receptionem diffiteor nego et abnuo cum non sit officium sacerdotis . et dato quod de ipsa ecclesia de Aberkerdor aliqualis summa pecunie unde conqueratur vel murmuret idem Abbas ad aliquem de officiariis meis vel alium nomine meo devenerit . quod tamen non fateor nec credo verum esse . nuncquam tamen animo modo vel forma spoliandi vel alias quod absit injuriandi quantumcunque modicum habitum fuerat vel receptum . Et si quid etiam causa vel via juris ordinarii modo et ordine consueto nomine meo fuerit receptum ad respondendum debite me semper optuli et offero coram quocunque bono viro infra diocesim vel extra . sic quod spoliationem et omnem actionem seu causam spoliationis pretensam omnino nego repello penitus et excludo . Verum cum per ipsum Abbatem fictitie et malitiose ac minus credibiliter tangatur et opponatur mihi de causa spoliationis vel crimine . profecto contra ipsum opponentem merito et realiter potest obici et obicio quod opponit ac de hujusmodi spoliationis crimine ac expressa et violenta ecclesiastice libertatis et immunitatis invasione merito et effectum potest argui et notabiliter ac probabiliter reprehendi . presertim cum ipse Abbas flamina livoris succensus et ultionis voto non zelo justicie instinctus . postquam hujusmodi causa inter ipsum et prefatum vicarium de Inuernys mota fuerat et incepta . sprete omisa ac etiam omnino contempta via juris ordinarii . in contemptum inobedientiam et irreverentiam mee jurisdictionis ordinarie ymmo verius sedis apostolice sub cujus protectione speciali degit ecclesia mea Moraviensis supradicta . ex certa scientia et malitioso proposito ac

animo vindicte nequiter assumende . posuit constituit ac poni ac constitui procuravit ad ipsam ecclesiam ac villam de Inuernys laicos potentes quorum potentie ac ferocitati resisti non potuit quoquomodo . ut puta nobilem et magne potencie virum . W . de . F . qui nomine et ex parte dicti Abbatis cum armata et grandi manu ingressus violenter prefati vicarii domos . clausuras et ostia fregit et frangi fecit . victualia et res alias diversas ibidem repertas destruendo spoliando ac etiam in recessu suo secum asportando . atque persone et familiaribus ipsius vicarii diversimode injuriando . nec non et ipsimet vicario in persona ad mortem comminando in tantum quod in propriam domum introire non audebat nec alicubi in villa comparere sed intra ecclesiam compellebatur latitare clandestine quousque securitas per maximas instancias et proborum plurium interventum sive intercessionem a prefato potenti recepta fuerat pro eodem . dicebatque publice et palam et expresse nobilis supradictus ipsum ex parte auctoritate ac de consensu et mandato ipsius Abbatis penitus et non aliter hoc fecisse . cujus facti veritatem expressam et infallibilem arguit ymmo probat expresse et efficaciter experientia et series rei geste . nam constat quod non ante ingressum illius causa sive litis sed post et ante illam violentiam commissam nec non et tempore illius violentie commisse sicut et post et etiam continue usque in presens tempus prefatus nobilis et potens procurator ipsius Abbatis fuerat constitutus et in quibuslibet suis literis sive procuratoriis nominatim et specialiter comprehensus ac administrationem fructuum omnium prefate ecclesie de Inuernys ratione illius cause solus et in solidum optinens et disponens pro sue libito voluntatis . Ex quibus clare concludi potest quod non solum ad committendum violentiam supradictam ymmo ad occupandum violentiam et absorbendum et tollendum jus partis et ordinarie jurisdictionis gratis ex proposito prefati Abbatis malignissimo et protervissimo fuerat constitutus . neque ista malitia sive nequitia est contentus qui etiam in omnibus suis ecclesiis vel quasi constituit laicos potentiores qui vicarios suos pauperes de pensionibus eis debitis vel aliquibus particulis earundem unde saltem vitam pauperem ducere valeant spoliant vel detrahunt . etiam et populares opprimunt . ecclesiis et animabus debita servitia subtrahunt in tantum quod propter potentiam talium secularium nec ordinarii facere possunt ut ecclesiis eorum provideatur etiam de vilibus ornamentis . quod in ecclesia supradicta de Inuernys . qui etiam locus nobilis validus et insignis est et habundans in fructibus et multorum nobilium militum et aliorum virorum

valentium concursum habens . patet evidenter . ita quod nec solum vestimentum sufficiens per Abbatem vel ex parte ipsius et ita parvum Missale quod valeat duos denarios poterit inibi reperiri . licet per me in meis visitationibus singulis annis apud predictam ecclesiam celebratis ad reparandos defectus supradictos et ad tegendam et cooperiendam eandem . cujus tectura nec majus altare nec vestiarius quin per pluvias quotiens ceciderint deturpentur ymmo confundantur aliquatenus non defendit . Ex quo siquidem supradicto violento hujusmodi spoliationis et invasionis facto temerario ipsum Abbatem mandantem et autorizantem et ex post facto ratificantem excommunicationis sententiam tam a canonico quam a concilii provincialis statuto latam non est dubium incidisse . ac ipsum eundem hujusmodi excommunicationis sententiam denunciavi et denuncio innodatum . Ceterum cum lites sint immortales et restinguende et ea que pacis sunt semper amplexari desiderem bonumque meum sit culpam timere ubi culpa non est . licet predictum Abbatem in aliquo non crediderim me gravasse . attamen incontinenti post hujusmodi appellationem emissam et intimatam prefixi certum terminum eidem Abbati in scriptis sigillo meo signatis et in foribus ecclesie palam et publice affixis videlicet penultimum diem mensis Augusti in cathedrali Moraviensi ad docendum de allegato gravamine si placeret et ad audiendam revocationem hujusmodi gravaminis si quid fecerim vel ex parte mea fuerit factum . si quid ad tunc ducerem faciendum . quibus die et loco ipse Abbate licet diucius expectato pluries et publice vocato per se vel per procuratorem minime comparente revocationem hujusmodi gravaminis si quod forsitan intulerim verbo tenus et in scriptis duxi faciendam ac revocavi et revoco cum effectu . ut puta exhibitis quibusdam literis citationis ipsius processus ibidem perlectis oblatis et publicatis . quas casualiter et non sine diligentia apud scriptores poteram invenire . et dato publice mandato quod ubicunque processus hujusmodi vel aliqua pars ipsius major sive minor que ad jus vel causam juris ipsius haberi possit vel inveniri habentes vel scientes ipsi Abbati vel suo procuratori absque difficultatis obstaculo sub pena excommunicationis copiam traderent ac exhiberent . sicut in quodam instrumento publico super hoc confecto clarius et magis specificè continetur . propter cujus processus copiam a me denegatam ut falso asseruit primo et principaliter appellavit . Ex qua quidem revocatione sic efficaciter et legitime facta constat jurisdictionem in ipsa causa procedendi mihi reservatam ac si hujusmodi appellatio interposita non fuisset . Cum



igitur appellatio non sit iniquitatis vinculum set potius innocentis et oppressorum presidium nec a jure nec a judice appellationibus frivolis sit deferendum . hujusmodi appellationi frivole malitiose et fictitie que nichilominus ut luce clarius est elapso penitus a jure statuto appellationis termino vim formam vel effectum appellationis non continet nec continere potest . nec rationibus sic in eadem insertis fictis maliciosis minus veris et inefficacibus non detuli nec deferre volui nec deferendum fore duxi cum delatio hujusmodi si sic fieret redundaret proculdubio in dampnum et prejudicium non modicum plurium ecclesiarum cure animarum ac etiam personarum . quod non est tolerandum cum non sit indulgendum malitiis . tam justitia quam juris ordine suadente . habito etiam super hoc frequenti et diligenti peritorum consilio . ymmo ipsam et ipsas tanquam juri et rationi contrarias informes inutiles inefficaces repuli et recusavi repello et recuso . repellendas et recusandas fore duxi et decrevi . causam hanc et negotium auctoritati et jurisdictioni mee ordinarie sicut prius in omnibus reservando . sacrosancte sedis apostolice reverentia semper salva . hasque literas meas pro apostolis refutatoriis et loco apostolorum refutatoriorum si sic dici debeant sub sigillo meo eidem Abbati vel suo procuratori tradi feci et trado patentes dicte appellationi frivole annexas . ipsamque ac ipsas literas vestre sanctitati transmittito presentandas . In cujus rei testimonium presentibus apostolis refutatoriis ut premittitur sigillum meum una cum subscriptione et signo notarii infra-scripti est appensum .

Sentencia contra vicarium ecclesie parrochialis de Abirkerdor super annua pensione centum solidorum sterlingorum . <sup>1</sup> (A.D. 1375.)

In Dei nomine amen . Cum nos Officialis curie Moraviensis ad instanciam magistri Willelmi de Spyny procuratoris religiosorum virorum Abbatis et conventus monasterij de Abbirbrothoc ordinis Beati Benedicti Sancti Andree diocesis / de cujus procuratorio sufficienti constabat / citaverimus et citari fecerimus . Dominum Johannem de Corshill perpetuum vicarium parrochialis ecclesie de Aberkerdor Moraviensis diocesis . ad causam quam ipse procurator nomine procuratorio dictorum Abbatis et conventus movebat contra ipsum super annua pensione centum solidorum sterlingorum et ipsius subtractione per decem annos preteritos / et super placitis et que-

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

relis inhabitantium terram ecclesiasticam de Abirkerdor . Et ipse coram nobis primo die mensis Junij . anno Domini . m<sup>o</sup> . ccc<sup>o</sup> . lxxv<sup>o</sup> . in ecclesia parochiali de Elgyn comparuit coram nobis ac libellum in causa ipsa recepit / et . xxviii . diem mensis Junij ad respondendum eidem assignaverimus coram nobis . Verum eo illo die minime per se vel alium comparente . altera parte ipsius contumaciam accusante . nos ipsum reputavimus contumacem / et iterum ipsum citari fecimus peremptorie quod compareat coram nobis loco quo supra sexto die mensis Julij ad contestandum litem super libello predicto . Quo etiam die nec per se nec per responsalem comparuit et idcirco ad instantiam partis ipsius contumaciam accusantis ipsum reputavimus contumacem / et ad contestandum litem in causa predicta vel ad dicendum causam quare excommunicari non debet ipsum fecimus iteratum peremptorie citari ad . xiiij . diem mensis Julij . Quo die quia expectatus legitime nec per se nec per alium comparere curavit ad partis alterius instantiam ipsius contumaciam accusantis et petentis ipsum excommunicari in scriptis / nos ipsum reputavimus contumacem et excommunicavimus tunc in scriptis . et nichilominus ipsum fecimus iterato citari ad . xx . diem mensis Julij loco quo supra coram nobis ad dicendum quare missio non debet fieri in bona ipsius pro modo debiti in libello contenti . Porro eodem Domino Johanne in sua contumacia etiam illa die perdurante / instantes a nobis petiit procurator predictus se in possessionem bonorum ipsius Domini Johannis pro modo debiti in libello petiti primo mobilium si appareant alioquin immobilium causa rei servande induci . nos igitur recepto prius ab ipso procuratore calompnie juramento quo asseruit vera esse in sua petitione contenta et se credere ea posse rationabiliter petere / interloquendo pronunciamus et decernimus dictum magistrum Willelmum de Spyny procuratorem predictum nomine procuratorio ob contumaciam dicti Domini Johannis fore mittendum in possessionem bonorum suorum mobilium pro modo debiti in libello contenti . scilicet . ad estimationem quinquaginta librarum sterlingorum . Et quia nobis constat quod sua bona mobilia preter boves aratores ad tantam summam se non extendunt / petiit idem procurator mitti in possessionem illius terre ecclesiastice ratione cujus isti centum annuatim debentur et in possessionem placitorum et querelarum inhabitantium terram istam ecclesiasticam . et nos ipsum pronunciamus fore mittendum in possessionem earundem causa custodie . et missum seu inductum in dictam possessionem censura qua convenit debere defendi / eun-

dem absentem nichilominus eidem in expensis litis condemnandum / quarum taxationem nobis in posterum reservamus . Lecta lata et in scriptis pronunciata fuit hec nostra sententia in ecclesia parochiali de Elgyn Moraviensis dyocesis . xxi° . die mensis Julij . anno Domini . m° . ccc° . lxx° . quinto . Indictione xij . pontificatus domini Gregorij anno quinto . Presentibus Domino Johanne de Ard succentore Moraviense . Adam de Tarays monacho . Berthomeo de Insulis . Roberto Pop . Johanne de Aberkerdor . et Johanne filio Hugonis decano Christianitatis de Elgyn . In premissorum autem testimonium presentem nostram sententiam sive decretum per notarium infrascriptum tunc presentem in formam publicam redigi fecimus et sigilli nostri appensione muniri . Datum anno mense loco Indictione et pontificatu quibus supra .

Et ego Johannes de Tarveys clericus Moraviensis diocesis publicus auctoritate Imperiali notarius premissis [*etc.*]

Responsio Willelmi episcopi Moraviensis scripta ad dominum Abbatem de Aberbrothoc / quod subsidium ad fabricam ecclesie cathedralis non dependet ex gratia beneficiati in diocesi sed ex debito .<sup>1</sup> (A. D. 1400.)

Sinceram in Domino caritatem pater reverende domine et amice karissime . Cum ecclesia Moraviensis proch dolor sit combusta et diocesis pro majori parte devastata . redditusque Episcopi et canonicorum adeo diminuti quod ipsi in facultatibus non suppetunt ad reedificationem ecclesie et ipsius fabricam continuandam . habito super hoc consilio . oportuit et oportet ad beneficia in diocesi extra ecclesiam recurrere et eis imponere et levare moderatum subsidium pro fabrica annuatim . et si de duabus ecclesiis vestris quondam in redditibus opulentis et adhuc juxta indispositionem patrie et temporis mediocribus quatuor marce jam leventur de tribus annis preteritis non habetis jus querele nec causam aliquam murmurandi . quia jura sustinent ut aliquando pro necessitatibus que superveniunt si rationabilis et manifesta causa subatiterit moderatum auxilium in talibus beneficiis colligatur . in capitulo *Cum Apostolus* . *De CENSIBUS etc.* et caritativum subsidium postulandum ab ecclesiis cum causa rationabilis extiterit jura volunt . et est de lege jurisdictionis . in capitulo *Conquerente* . *De OFFICIO ORDINarii* . et capitulo preallegato *Cum Apostolus* . et ideo si placet de vestra gratia vel elemosina non dependet sed est onus ordinarium

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 213, 214.]

et ex debito persolvendum . Precipiat ergo collectoribus vestris de Abirkerdor ut nobis et ecclesie satisfaciant de dictis quatuor marcis . et de . xx . solidis de cautione camerarii vestri bene cito . quia aliter sequestrationem nostram fructuum non intendimus relaxare . Et quia ista facta sunt de maturo et digesto consilio ea de facili non possumus immutare . Valeat paternitas vestra reverende in gaudio et salute per tempora diuturna . Scriptum apud Elgyn . xx . die Augusti . anno Domini . m° . cccc° .

Presentacio ecelesie de Aberkerdor .<sup>1</sup> (A.D. 1484.)

David permissione divina Abbas confirmatus monasterij de Abirbrothoc et ejusdem loci conventus unanimi consensu et assensu capitulariter congregati . venerabilibus et scientificis viris vicariis generalibus decano et capitulo ecclesie cathedralis Moraviensis seu illi vel illis jurisdictionem potestatem et collacionem beneficiorum episcopatus Moraviensis sede ejusdem vacante quomodolibet habenti vel habentibus . reverencias debitas et honores . Ad vicariam de Aberkerdour Moraviensis diocesis nunc vacantem per decessum quondam magistri Jacobi Synklar ultimi vicarij et possessoris ejusdem / ad nostram presentationem pleno jure vestramque collacionem hac vice spectantem / dilectum nostrum capellanum Dominum Alexandrum Symson vobis et vestrum cuilibet jurisdictionem et potestatem in premissis habentibus animo non variandi sed accumulandi tenore presencium presentamus . Exortando rogantes quatinus dictum Dominum Alexandrum presentatum nostrum ad dictam vicariam recipiat et admittatis / eandemque sibi conferatis / ac ipsum vel procuratorem suum ejus nomine in realem actualem et corporalem possessionem ejusdem inducat et instituatis . inductumque et institutum canonice defendatis . sibi et procuratoribus suis de universis et singulis fructibus redditibus et proventibus obventionibus et proficuis dicte vicarie facere integre responderi . contradictores si qui sint per censuram ecclesiasticam arcus compescendo . ceteraque faciendo que vobis in premissis incumbunt peragenda . Datum sub sigillo nostro communi / apud capitulum dicti nostri monasterij . xxii . die mensis Decembris . anno Domini . 1484 .

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

*Assedacio decimarum garbaliū ecclesie de Aberkerdour Jacobo Innes de eodem facta* .<sup>1</sup> (A.D. 1485.)

Universis pateat per presentes nos David postulatum et confirmatum monasterij de Abbirbrothock / et ejusdem loci conventum / assedasse et ad firmam dimisisse dilecto nostro honorabili viro Jacobo Innes de eodem / Alexandro Innes filio suo / seu cuicunque alteri filio suo quem ipse voluerit assignare . totas et integras decimas garbales ecclesie nostre de Aberkerdour cum pertinenciis . pro terminis decem et trium annorum plenarie complendorum . Termino introitus dicti Jacobi / Alexandri filij sui / seu alterius filii sui quem assignaverit / ad dictam ecclesiam cum pertinenciis incipiente in Festo Sancti Petri datam presencium immediate sequente sine ulteriori dilacione . Solvendo inde annuatim dictus Jacobus / Alexander filius suus / seu alter filius quem assignaverit / nobis et successoribus nostris summam quadraginta sex librarum tredecim solidorum et quatuor denariorum monete Scocie / ad duos anni terminos Festa / videlicet / Pasche et Sancti Petri ad Vincula / sine dilacione quacunque . Et si dictus Jacobus / Alexander vel alius suus filius quem assignaverit / in solucione dicte summe ad terminos prescriptos vel infra triginta dies hujusmodi terminos sequentes defecerit / quod absit / licebit nobis et successoribus nostris de hujusmodi nostra ecclesia cum decimis cuicunque alteri disponere / ista assedacione non obstante . Et nos David abbas et conventus dictam nostram ecclesiam cum ejusdem decimis / dicto Jacobo et Alexandro filio suo seu cuicunque alteri filio suo quem assignaverit / pro terminis decem et trium annorum in omnibus et per omnia ut premissum est varantizabimus et prout jura volunt defendemus . Datum sub sigillo communi capituli nostri apud idem capitulum / quinto die mensis Februarij . anno Domini . 1484<sup>to</sup> .

*Commissio data certis procuratoribus penes limitationem terrarum ecclesiasticarum de Abirkerdor* .<sup>1</sup> (A.D. 1493.)

Nos David abbas monasterij de Arbroth et ejusdem loci conventus facimus constituimus et ordinamus dilectos nostros confratres dominos Alexandrum Mason priorem de Fywe . Alexandrum Crale camerarium nostrum . et magistrum Patricium Ogylwe vicarium de Forge . nostros indubitatos commissarios syndicos et procuratores ad comparandum coram reverendo in

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.]

Cristo patre domino Andrea episcopo Moraviensi / aut ejus commissariis pluribus aut uno . et justiciario Suppremi Domini nostri Regis ex parte aque boriali de Forthe constituto / aut ejusdem deputato seu deputatis . die Martis octava die mensis Januarij proxime futuri / seu quibuscunque aliis diebus aut locis per eosdem assignandis . apud terras debatabiles de Aberkerdor inter Alexandrum Inness de eodem pro parte baronie sue de Aberkerdor / et dominum Alexandrum Symson vicarium ejusdem pro parte terre ecclesiastice sue de Aberkeyrdor / et quas dictus vicarius tenet de nobis . Et ibidem in causa seu causis hujusmodi terrarum debatabilium merchiarum divisarum metarum et finium cum communi pastura pro interesse nostro agendis dicendis et defendendis . et Dominos compromissarios aut majorem partem eorundem / ad hoc de consensu utriusque partis pro finali decisione litis mote in presencia dominorum concilij Domini nostri Regis specialiter electos / jurari videndum et audiendum / et virtute compromissi et acti desuper confecti eosdem compromissarios in omnibus et per omnia procedere requirendum . acta decretaque et deliberaciones eorundem ferri petendum et implorandum . jura registra et documenta nostra verbo et scriptis producendum . fines merchias metas et divisas hujusmodi terrarum debatabilium limitari assignari et confirmari postulandum . et generaliter omnia alia et singula faciendum que ad decisionem terrarum debatabilium cum communi pastura predicta virtute dicti compromissi / seu eciam rigore brevis perambulationis / de jure pertinere noscuntur . Ratum et gratum habentes et habituri totum et quicquid dicti commissarij nostri seu eorum alter conjunctim et divisim / aut eorundem substituti seu substitutus / in premissis rite duxerit seu duxerint faciendum / et que nosmet faceremus si presentes interessemus / cum pleno potestate judicio sisti et judicatum solvi cum ceteris clausulis necessariis et opportunis per presentes . Datum sub sigillo capituli nostri apud idem capitulum unanimi consensu . tercio Januarij anno Domini millesimo quadringentesimo nonagesimo secundo .

Perambulacio terrarum ecclesie de Aberkeyrdor vocatarum le Yochry et Achbrady . <sup>1</sup> (A.D. 1493.)

Universis sancte matris ecclesie filiis ad quorum noticias presentes litere pervenerint . Jacobus Ogiluy de Desfurd miles . Willelmus Meldrum de

<sup>1</sup> [From the Registrum Recentius Cenobii de Aberbrothoc, MSS. Bibl. Adv.; collated with a copy in the Registrum Episcopatus Moraviensis, pp. 246—251.]

Fyvy . Walterus Ogylwy de Boyn . Valterus Barclay de Tolle . Patri-  
 cius Byssat de Lessyndrum . Alexander Murray de Cuthbardy . Georgius  
 de Abyrnethyn . Johannes Currur de Durne . Thomas Bard de Ordynhuf .  
 Patricius Thayne vicarius de Inuerkethny . Alexander Hille . Fynlaus  
 de Monedy . Robertus frater Finlay . Johannes Hyll . Andreas Tait .  
 Villelmus Clark . Symon Corsky . Johannes Vylsone . Donaldus Car-  
 nusy . et Johannes Neyl . assisores arbitri arbitratores et communes  
 amici de et super debatabilibus terris per et inter Alexandrum Innes de  
 eodem ex una et Dominum Alexandrum Symsons vicarium de Aberkerdor  
 ex altera partibus . et specialiter super terris de le Yochry et aliis merchiis  
 et divisis . ex consensu ambarum parcium una cum consensu serenissimi  
 Regis Jacobi quarti Scottorum Regis illustrissimi . ac reverendi patris  
 Andree episcopi Moraviensis . et venerabilis patris David permissione divina  
 abbatis de Arbroth . in presencia subscriptorum dominorum concilij  
 prefati Supremi Domini nostri Regis / communiter electi / ut in instrumento  
 compromissi Johannis Tyry notarij publici inde confecto plenius habetur .  
 tenor cujus instrumenti sequitur et est talis . . IN DEI nomine Amen .  
 Per hoc presens publicum instrumentum cunctis pateat evidenter quod  
 anno incarnationis Dominice . m<sup>o</sup> . cccc<sup>o</sup> . xc<sup>o</sup> . secundo . mensis vero  
 Decembris die quinto . Indictione xi<sup>a</sup> . pontificatus sanctissimi in Christo  
 patris domini nostri Alexandri pape sexti anno primo . In mei no-  
 tarij publici et testium subscriptorum presencia personaliter constituti ho-  
 norabiles ac circumspetti viri Alexander Innes de eodem ex una / et Do-  
 minus Alexander Simsons vicarius de Abyrkerdor partibus ex altera .  
 cum expressu consensu et assensu excellentissimi domini nostri Regis  
 Jacobi quarti moderni . reverendi in Christo patris Andree episcopi Mo-  
 raviensis . et venerabilium dominorum David abbatis et conventus de  
 Arbroth . se sua mera et spontanea voluntate compromiserunt obligaverunt  
 et submiserunt in uberiori forma compromissi in forma speculatoris con-  
 ficiendi in personas in quodam acto subscripto contentas / prout in eodem  
 continetur / cujus tenor sequitur in hec verba . At Abyrdeyne the . v .  
 day of December the year<sup>o</sup> of our Lord . j<sup>m</sup> . iiij<sup>e</sup> nynte and tua yeiris .  
 In presens of the lordis of counsayle ondirvrytyne . that is to say . re-  
 verend and venerabile faderis in God Vyllyame byschop of Abyrdeyne  
 prewe seyl . Andro byschop of Murray . Henry abbot of Kambus-  
 kynoth thesaurar . nobile and mychty lordis Archbald erle of Angus  
 lord Dowglas and chancellor of Scotland . Andro lord Gray master

of howshald . Jamys erle of Bowchane . Jamyss lord Ogylwy . and master Jhone Fresar done of Lestalryg and clark of the regystre . It is appoyntyt and accordyt betwix Alexander Innes lard off that Ilk on the ta part . and Schyr Alexander Symsons vicar of Abirkerdor with consent and assent of oure Souerane Lord . Byschop of Murray . and Abbot and convent of Arbroth on that tothir part . in maner and forme that followys . that is to say . that the sayd Alexander Inness with our Soverane Lordis consent and the said Schyr Alexander with the Byschop and Abbot and conventis consent ar oblyst and sworne . the Haly Ewangellis tuchit . under payne of periure inhabilite and infame in the mast strait forme of compromis in forma speculatoris to underlye and abyd irrevocabille / but ony excepcione in deyd or law to be proponyt in the contrare / at the decret sentence or delyverance off certane assysouris of perambulacione chosyn be baith thar consentis for the decisione of the landis debatable betwix thame of the baronry of Abyrkerdor the marchis pasturis commone and divisis of the samen . and the gleib and kyrkland of Abyrkerdor marchis pasturis and commone divisis of the samen . of the quhilkis assisouris thir ar the namys followand / that is to say / Schir Jamys Ogylwy of Desfurd knyght . Wylame Meldrum of Fyvyn . Walter Ogylvy of the Bowne . Walter Barclay of Tolle . Patryk Bisseat of Lessyndrome . Alexander Murray of Cuthbardy . George of Abyrnethy . Jhone Currou of Durne . Thomas Bardy of Ordynhufe . Patryk Thane the ald wycar of Inuerkethny . Alexander Hyl . Fynlay Monedy . Robert Finlawys brodir . Jhone Hyle . Andro Tayt . Wyl Clark . Sym of Corsky . Johnne Wylsone . Donald of Carnusy . and Jok Neyll . And that the saydis Alexander and Schyr Alexander sal compeir befor thir saydis assysouris or the mayr part of thame apone the soyle and grond of the saydis landis debatable the awcht day of Januar nyxt to cum befor non . and ther undirlye and abyd as sayd is al and quhatsumevir merchis and devisis of propyr and commone pastur assygnit merchit and devidit be the saidis assisowris of perambulacione or the mar part of thame . sworne tharto apone Sanct Marnoyss ferteris in presens of the Kyngs justice or his deput / the Bischop of Murray or his commissar / And the saydis parteis are content to onderly the decret of the saydis assisowris in sic effect forss and strynth as proces of breyff of perambulacioun . and nevyr to cum in the contrair be thamsel airis na successouris undir sic panyss as sall pleyss our Soverane Lord or his justice and the Byschop of Murray and his commissaris to decern and deliver tharapoun . and that thai sal not be price prayar nor terroure solisit



ony of the saydis assysowris wtherwayse than sal serf tham to deliver apou thar athis and conscience in the premissis . nor sal mak ony impediment nor excep-  
cioun wthirwayss than in thar presens or absens / or ane present and ane othir  
absent of the parteis / the saydis assysowris may peremptorlye or the mayr part  
of tham the saidis day and place but ony forthir prorogacione of dayis or  
termys fynaly efter thar knowlage decern end and conclud apone the werra  
rychtows merchis boundis and devisis of the saidis landis debatable . And to  
obserf and keype the samyn but ony revocacion interupcion or impediment  
to be mayd in the contrair under the panys forsaid . for tham thar arys and  
successouris perpetually tyl enduyr . Super quibus omnibus et singulis  
dictus dominus Alexander Symson in presencia dominorum suprascripto-  
rum a me notario publico et scriba consilij sibi fieri peciit unum seu plura  
publicum seu publica instrumentum seu instrumenta . Acta fuerunt hec in  
hospicio Alexandri Mengeis burgensis burgi de Abirden hora quasi secunda  
post meridiem sub anno mense die Indiccion et pontificatu quibus supra .  
Presentibus reverendis venerabilibus et nobilibus dominis suprascriptis . Et  
ego Johannes Tyry / Sancti Andree diocesis clericus et scriba in consilio  
serenissimi domini nostri Regis publicus Imperiali et Regali auctoritatibus  
notarius / predictum actum formam compromissi in se continens de libro ac-  
torum extraxi et ideo hoc presens publicum instrumentum manu aliena me  
aliis arduis occupato negociis fideliter scriptum exinde confeci signoque  
nomine et subscripcione meis solitis et consuetis signavi in veram fidem pre-  
missorum . . UNDE dicto compromisso . super solum dictarum terrarum die  
octavo Januarij anno quo supra . coram ipsis assisoribus in presencia honora-  
bilis viri Johannis Ogilvy deputati justiciarij Supremi Domini nostri Regis . ac  
venerabilis viri magistri Thome Grant canonici ac officialis Moraviensis / com-  
missarij reverendi in Christo patris Episcopi Moraviensis . perlecto . onus hu-  
jusmodi materie . dicto vicario instante et contumaciam prefati Alexandri do-  
mini de Inness accusante . magno juramento interveniente . capite Sancti  
Marnani presenti . in se assumpsissent . visisque allegacionibus ex parte vicarij  
productis ac merchiarum limitibus ac bondis consideratis et quasi ad plenum  
inter nos discussis rimatis et consideratis . decretum nostrum in aliqua parte  
coram notario subscripto nobis jurato tacite et in consilio inter nos et coram  
dicto notario in scriptis pronunciamus . Et ex eo quod presenciam dicti  
Alexandri domini de Innes pro ipsius interesse habere nequivimus / publication-  
em hujusmodi decreti usque ad novum mandatum prefati serenissimi domini  
nostri Regis continuavimus . Et adveniente die secunda mensis Marcij anno  
quo supra partibus dictis coram nobis assisoribus . novo mandato Regio

habito et nobis perlecto . super solum dictarum terrarum de merchiis et bondis hujusmodi altercantibus et disputantibus / ac dubiis per nos consideratis . honorabiles viros Valterum Innes de Inuermerky . Robertum Innes de Drany . Barrald Innes in Haltone . Willelmum Innes in Drany . Georgium Gordon in Auchinaci . et Robertum Innes in Auchtyndrum . ut veritatem materie magis ac clarius nobis assisoribus dilucidaretur . assisores nobis / magno juramento prius ipsis deliberato / cum consensu ambarum parcium et commissariorum . instrumento compromissi nichilominus in suo robore duraturo . sine quacunque excepcione . nobis adjungi et multiplicari avisavimus . ac pronunciacionem decreti nostri usque . xi° . Aprilis immediate sequentis . prolongavimus et continuari fecimus . Unde dicto . xi° . die adveniente . partibus una cum reverendo patre Andrea Dei et apostolice sedis gracia Episcopo Moraviensi nobiscum comparentibus in presencia prefati deputati justiciarii Supremi Domini nostri Regis et commissarij Abbatis de Arbroth . marchiis consideratis et allegacionibus hinc inde productis visis auditis et ad plenum discussis . solum Deum pre oculis habentes . sentenciam et decretum nostrum in vulgari in hunc qui sequitur modum pronunciamus . . At ABIRKORDOR the . xi . day of Aprile anno *etc* . nonagesimo tercio . Ve Schir Jamys of Ogylvy of Deskfurd knyght . Wilyam Meldrum of Fywe . Waltir Ogiluy of the Bown . Waltir Barclay of Towe . Patre Bisset of Lesindrom and the remanent of the jugis arbitrouis contenit in the fyrst compromys . and Valter Innes . Robert Innes in Drany . Barald Innes in the Haltone . Robert Innes in Inchdrum . Willyame Innes in Drany . assyssoris sworne betwyx Alexander Innes of that Ilk on the ta part . and Schir Alexander Symson vycar of Abyrkerdor on the tothir part . anent the debatable landis clamyt be the said wycar to pertene to the kirk and be the said lard of Innes to pertene tyl hyme . hafand God befor us . decretis deliverys and has consyderyt the landis callit the Youchre as the mastir stryp rane of the ald tyme nerast the Muyrhailhowss descendand to the watter of Dowerne and ascendand to the Cragwel . and fra the Cragwel to the red stan ascendand . and therfra to the tua standand gray stany . and therfra to the quhyt stane . and sua descendand lynaly fra the quhyt stane to the strynd of Sanct Huchonys well . and fra thyne descendand lynaly to the entray of the mekyll burne . to pertene to the sayd wycar . And the landis outwytht the said merchis as the muyr strykis in lynthe and bred to Auchinhaglys togyddyr with Auchynhaglys to pertene to the said lard of Innes / and the croftis of the yondsyd the burn ald and wont to pertene to the sayd wycar . And

this til al quhom it efferis we mak it knawyn \* . . DECRETO vero predicto per me notarium subscriptum ex mandato predictorum assisorum et arbitrorum in presencia parcium minime contradicencium perlecto et pronunciato . reverendus pater Andreas Dei et apostolice sedis gracia Episcopus Moraviensis statuit mandavit ac ordinavit virtute obligacionis parcium / ut in compromisso habetur / et auctoritate ordinaria monuit prefatum Alexandrum dominum de Innes pro se heredibus suis et assignatis / ac dictum dominum Alexandrum Symson pro se et successoribus suis vicariis . omnia et singula premissa sine impedimento quocunque inviolabiliter observare custodire et perimplere . et nunquam contra ea venire dicere seu facere per se seu quemcunque nomine ipsorum . publice vel occulte directe vel indirecte quovis quesito colore vel ingenio / sub penis . <sup>ccc<sup>arum</sup></sup> . coronarum auri serenissimo domino Regi Scocie / <sup>ccc<sup>arum</sup></sup> . ecclesie Moraviensi / et . <sup>ccc<sup>arum</sup></sup> . parti observanti et minime contradicenti / infra . XL<sup>ta</sup> . dies postquam clare constiterit de hujusmodi contradictione aut impedimento sine quacunque excepcione solvendarum . Super hiis omnibus et singulis prefate partes hinc inde sibi fieri pecierunt unum seu plura publicum seu publica instrumentum seu instrumenta cum sigillo dicti reverendi patris ac nonnullorum assisorum prefatorum roboranda et sigillata . Acta erant hec super solum prefatarum terrarum sub anno mense die Indiccionis et pontificatu quibus supra . Presentibus ibidem dicto reverendo patre . Jacobo Ogilvy de Desfurd milite . Johanne Ogiluy justiciarij Supremi Domini nostri Regis in hac parte deputato . Willelmo . Thoma Caldor . et domino Alexandro Ilis milite . cum assisoribus et multis aliis testibus ad premissa vocatis pariter et rogatis .

\* [In the copy engrossed in the Register of Murray, the description of the marches runs thus :

“ The landis callit the Zochre as the mastir stripe ran of ald tym narrast Murailhous descendand in Dowarn and ascendand to the Cragwell . and fra the Cragwell to the Redstan liniail as the mur strekis of lynth betwix Myrsid and Auchinaglis . togiddir with Auchinaglis to the burn of Auchinaglis ascendand to the small burn onder Monedy . and fra that burn to the well . and fra that vell to the quhit stanis toward Crome descendand as the strip passis throw the Willingis of Crome in the Kirktown burn . and the land on west syd that burn to Sanct Marnoyes well with the well and commond pastour and wofft to pertene to the vicarage . and all the landis wthew the said marcheis baith Mursid and Murailhous clamyt and perambulat be the vicar to perten to the said Lard of Innes . saifand all rycht of bundit chartir gif ony be .” (Registrum Episcopatus Moraviensis, p. 250.)]

Carta fundacionis capellani capelle Sancti Menimii confessoris super ripam de Duffhern / per Symonem thanum de Aberkerdor concessa .<sup>1</sup> (A.D. 1286—A.D. 1289.)

Omnibus sancte matris ecclesie filiis hoc scriptum visuris vel audituris Symon thanus de Aberkerdor salutem eternam in Domino . Noveritis universi me pro salute anime Alexandri bone memorie illustris Regis Scocie et ipsius heredum . ac anime patris mei et mee nec non omnium Christianorum . dedisse . concessisse . et hac presenti carta mea confirmasse . Deo et Beate Marie Virgini et Domino Cristino capellano capelle Sancti Menimii confessoris super ripam de Duffhern site servienti et perpetuo capellano qui pro tempore fuerit ibidem serviturus . quatuor marcas argenti de molendino de Carnoussexth singulis annis percipiendas . et le haylch integre que vocatur Dolbrech per suas rectas divisas . per illas scilicet . sicut sica parvula ex parte occidentali se extendit usque ad unam fossam in capite dicte Dolbrech et sicut alia sica ex parte orientali usque ad altam viam se descendit . cum omnibus edificiis ad predictam capellam infra cymiterium edificatis et edificandis . Tenendas et habendas eidem Cristino in tota vita sua de me et heredibus meis in puram et perpetuam elemosinam libere quiete plenarie et honorifice ab omni opere servili exactione et demanda seculari adeo libere quiete plenarie et honorifice sicut aliqua elemosina infra regnum Scocie liberius quietius plenius et honorificentius tenetur vel possidetur . Volo etiam ut quicumque capellanus qui pro tempore predicte capelle fuerit serviturus ad electionem et ordinationem meam et heredum meorum per consilium domini Episcopi Moraviensis qui pro tempore fuerit ibidem instituatur . Si vero contingat . quod absit . quod ego vel heredes mei contra hanc concessionem et donationem in aliquo venerimus . volo et concedo quod dominus Episcopus Moraviensis qui pro tempore fuerit me et heredes meos ad prefatas concessionem et donationem per censuram ecclesiasticam fideliter et integre observandas compellat . Volo etiam ut

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 279, 280.

Saint Menimius, or Meninius, is probably the same with Saint Monanus, or Minnanus, archdeacon and confessor in Scotland, whose festival is celebrated on the first of March, being the eve of Saint Marnan, the tutelar saint of the church and parish of Aberchirder. In the Irish calendars his name is written St. Monnenius. (Butler's Lives of the Saints, vol. ii., p. 1116, vol. i., p. 288; A. King's Kalendar; Sir H. Nicolas' Chronology of History, p. 163; D. Camerarii de Fortitvdine Scotorvm, pp. 108—110.)]

prenominatus communem pasturam cum animalibus meis et heredum meorum ad duodecem vaccas et unum thaurum habeat . et ut animalia sua rationabilem introitum habeant ad caulam suam in terra dicte capelle et exitum ad suam pasturam . Et ut hec mea donatio perpetuum robur obtineat presens scriptum sigilli appositione roboravi mei proprii . Hiis testibus . Venerabili patre . A . episcopo Moraviensi . Willelmo de Dun decano Moraviensi . magistro Waltero Surays officiali . Malcolm de Ferrendrath . Johanne de Ferrendrath . Willelmo de Aberkerdouer fratre meo . Duncano filio Duncani MacGartned . Cristino MacKennayth . et aliis .

Inquisitio super fundatione capellanie Sancti Meninii .<sup>1</sup> (A.D. 1369.)

In inquisitione facta per Dominum Alexandrum Dei gratia episcopum Moraviensem super fundatione istius capellani . anno Domini . m . ccc . . lx . nono . compertum est per juratos quod modus introducendi istam fundationem fuit quod contigit quod iste Symon thanus predictus fuit thanus utriusque thanagij . scilicet de Conwauth et de Aberkerdor . et deliquerit contra Regem ita quod Rex saisiverat utrumque thanagium . Et thanus videns quod non potuit recuperare a Rege concessit sex dauatas de Conwauth comiti Buchanie . ut posset recuperare aliud thanagium de Aberkerdor . Et quod fundaret illam capellam de quatuor marcis et terra pertinente ad capellam pro uno capellano celebraturo pro animabus omnium Regum Scocie . Et obligavit Natirdul pro . xiii . solidis . iv . denariis . que jam est in manibus Jacobi Mautaland . et Petyndrek pro . xiii . solidis . iv . denariis . que est in manibus Walteri Biset ratione warde . et duas Carnulsy pro . xxvi . solidis et . viii . denariis . que sunt in manibus Jacobi Fraser domini de Fertendrach .

Confirmacio Regis Roberti pro Willelmo de Melgdrum / de dauata de Westircaringusy et duabus particulis de Culblathys .<sup>2</sup> (A.D. 1328.)

Robertus Dei gracia Rex Scottorum / omnibus probis hominibus tocius terre sue salutem . Sciatis nos concessisse . et hac presenti carta nostra confirmasse . donacionem illam et concessionem quas quondam Sibilla / filia quondam Simonis thani de Abirkerdor / domina et heres terrarum

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 319, 320.]

<sup>2</sup> [From the original in the possession of the Club.]

de Caringusy / fecit Alexandro de Melgdrum et Isabelle sponse sue / ac eorum heredibus / de dauata terre que dicitur Westircaringusy . et de duabus particulis terre de Culblathys cum pertinenciis . Tenendas et habendas Willelmo de Melgdrum eorum heredi et heredibus suis / de predicta Sibilla et heredibus suis in feodo et hereditate per omnes rectas metas et diuisas suas cum omnibus libertatibus commoditatibus aysiamenis et iustis pertinenciis suis . adeo libere et quiete . plenarie et honorifice . sicut carta dicte Sibille eisdem Alexandro et Isabelle sponse sue ac eorum heredibus exinde confecta in se plenius iuste porportat et testatur . Saluo seruicio nostro . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus . Bernardo abbate de Abbirbrothock cancellario nostro . Thoma Ranulphi comite Moraue domino Vallis Anandie et Mannie nepote nostro . Jacobo domino de Duglas . Roberto de Keth marescallo nostro . et Dauid de Berkelay militibus . Apud Edinburge . duodecimo die Marcii . anno regni nostri Vicesimo Secundo .

Carta Walteri de Lesley militis de thanagio de Abirkiirdore .<sup>1</sup> (A.D. 1369.)

Dauid Dei gracia . Rex Scottorum . Omnibus *etc* . Licet alias infeodauerimus dilectum consanguineum nostrum / Walterum de Lesley militem / hereditarie / de thanagio de Abirkiirdore cum pertinenciis infra vicecomitatum de Banff . et de thanagijs de Kyncardyn / tamen / quia forte heredes thanorum qui dicta thanagia antiquitus ad feodam firmam tenuerunt recuperare poterunt infuturum ipsa thanagia tenenda prout eorum predecessores ipsa tenuerunt . Concessimus dicto consanguineo nostro quod / si ipsi heredes vel eorum aliquis dicta thanagia vel aliquod ipsorum forte recuperauerint . idem consanguineus noster et heredes sui habeant teneant et possideant seruicia heredum vel heredis dictorum thanorum vel thanj / et feodofirmas vel feodofirmam antiquitus debitas de thanagijs vel thanagio prenotatis / eisdem forma et consideracione / et pro seruiciis illis / quibus ipsa thanagia iam tenet aut tenere debet per infeod-

<sup>1</sup> [From the Registrum Magni Sigilli Regvm Scottorvm, p. 66.]

In a roll of missing charters by King David II. is "Carta to Walter Lesly, of the thanage of Abrekerdor, in vicecomitatu de Banff; of the thanadge of Kincardine, Fothercardine, and Abrelouchmoir, in vicecomitatu de Kincardin." (Robertson's Index to the Charters, p. 52.)

Among the Scottish Charters which were delivered to King Edward I. of England, in the year 1296, was "Charta de Abirkerdour." (*Id.* p. xxiv.)]

dacionem nostram sibi alias inde factam . et prout carte nostre inde sibi confecte continent et proportant . In cuius rei *etc* . Testibus *etc* . apud Edynburghe . sexto die Maij . anno regni nostri Quadragesimo /

Carta thanagii de Abirkyrdore et terre de Blaresenache pro Waltero de Lesley .<sup>1</sup> (A.D. 1369.)

Dauid Dei gracia . Rex Scottorum . Omnibus probis hominibus tocius terre sue Salutem . Sciatis nos dedisse *etc* / dilecto consanguineo nostro Waltero de Lesley pro fideli seruicio suo nobis impenso et impendendo . omnes et singulas terras nostras thanagij de Abirkyrdore / ac terram nostram de Blaresenache / cum pertinenciis infra vicecomitatum de Banffe . Tenendas et habendas eidem Waltero et Eufamie sponse sue dilecte consanguinee nostre / ac heredibus inter ipsos legitime procreatis seu procreandis / de nobis et heredibus nostris in feodo et hereditate / in vnam integram et liberam baroniam per omnes rectas metas et diuisas suas in boscis et planis *etc* . necnon cum omnibus aliis et singulis libertatibus commoditatibus *etc* . libere et quiete . Faciendo nobis et heredibus nostris dictus Walterus et Eufamia sponsa sua ac heredes sui predicti . seruicium vnus militis pro dictis terris ac tres sectas curie ad tria placita nostra capitalia vicecomitatus de Banffe . In cuius rei *etc* . Testibus *etc* . Apud Perthie penultimo die Februarij . anno regnj nostri Quadragesimo .

Confirmacio Domini Willelmi de Lyndesay militis .<sup>2</sup> (A.D. 1375.)

Robertus Dei gracia Rex Scotorum . Omnibus *etc* / Sciatis nos approbasse ratificasse et confirmasse . donacionem illam et concessionem quas Walterus de Lesley miles fecit et concessit . Willelmo de Lyndesay militi dilecto consanguineo nostro . de terris de Abirkyrdore . cum pertinenciis . infra vicecomitatum de Banf . Tenendis et habendis dicto Willelmo et heredibus suis in feodo et hereditate per omnes rectas metas et diuisas suas . adeo libere et quiete in omnibus et per omnia . sicut carta dicti Walteri . eidem Willelmo exinde confecta . in se iuste continet et proportionat . Saluo seruicio nostro . In cuius rei *etc* . Testibus *etc* . Apud Lynlithcv . tercio die Octobris . anno regni nostri . Quinto .

<sup>1</sup> [From the Registrvm Magni Sigilli Regvm Scotorvm, p. 71.]

<sup>2</sup> [From the Registrvm Magni Sigilli Regvm Scotorvm, pp. 139, 160.]

Confirmacio Domini Comitis de Rosse pro Waltero de Innes milite / de  
terris baronie de Aberchirder .<sup>1</sup> (A.D. 1439.)

Alexander de Yle dominus Insularum comes Rossie et justiciarius de  
parte boreali aque de Forth uniuersis et singulis hanc cartam visuris vel  
audituris / salutem . Sciatis nos approbasse ratificasse et hac presenti

<sup>1</sup> [From the Historical Account of the Origine and Succession of the Family of Innes,  
pp. 21, 22.]

" Sir Robert of Innes, the thirteenth of his family, is he who got the name of Good Sir Robert, and married Dame Jannet of Aberchirder, daughter to Sir David, the thain of these lands; had a considerable estate by her, which his successors kept two hundred and forty years; and, from the tyme of that marriage (which was befor the fourteen hundredth year of God) to this day, have born three boars' heads erased (the armes of Aberchirder \*) quartered with their own three starrs, as appears by their sealls. Of this marriage came Sir Walter of Innes, laird or lord of that ilk, as he is termed in writ, and is the fourteenth of the family. See the chartor of confirmation from King James the Second, in anno 1450, narrating, *verbatim*, the chartor given anno 1426, by John Lord Lindsey of Byres, son of Sir William the Lindsey, knight, to Jannet of Aberchirder and Walter of Innes, her son, upon all annualrents or superiority that was formerly due to him or his, furth of the lordship of Aberchirder, excepting the superiority and following of Cramy, *etc.* This chartor is conceived in broad Scots, dated at Edinburgh the sixteenth day of January 1426. The eldest son and heir of Sir Walter, was Sir Robert (called Ill Sir Robert). See a precept of *clare constat*, relative to a retour granted by John Lord Lindsay of Byers, for infesting of Robert of Innes, son and heir to the deceast Sir Walter of Innes of that ilk, knight, in all and hail the lordship of Aberchirder, with the pertinents, dated at The Byers the fourteenth of July 1456. That James, called James with The Beard, is successor to Sir Robert, appears from the precept of sasine which is given by John Lord Lindsay of the Byers, overs lord of the lands of Aberchirder, to Berowald of Innes, John of Innes, Andrew of Innes, and James the Barde, his baillies, for infesting of James of Innes of that ilk in all the saids lands of Aberchirder, with the pertinents formerly belonging to vmquhall Sir Robert of Innes of that ilk, knight, and father to the

\* [Vosualdus de Aberkerdor burgensis de Elgin appears as a witness to a grant to the church of Murray, dated on the Feast of Saint Gregory, in the year 1343. (Registrum Episcopatus Moraviensis, p. 290.) David de Aberkerdor burgensis de Dondie is a witness to a grant made by Alexander de Moravia of Culbyn and Newtown, to another burgess of the same town, dated at Scone, on the eleventh of March, 1391. (Registrum Magni Sigilli Regum Scottorum, p. 301.) On the twenty third of March, in the same year, King Robert III. confirms a grant to David de Abirkerdor, by William of Angus, abbot of the monastery of London, of an annuity of seven merks from certain lands in the burgh of Dundee. (*Id.*, p. 307.) Johannes de Aberkerdor vicarius de Elgyn appears in several deeds engrossed in the Register of Murray, between the years 1388 and 1399. (Registrum Episcopatus Moraviensis, pp. 213, 224, 328, 351.) Walter of Aberkerdour and Wilyam of Aberkerdour appear on an inquest held in Dundee in the year 1474. (Acta Dominorum Auditorum, p. 26.) David of Aberkirdach was among those who were slain on the Earl of Huntly's side, in a conflict with the Earl of Crawford, at the gates of Arbroath, on the twenty third of January, 1446. (A Short Chronicle of the Reign of James the Second, p. 38.)]



carta nostra confirmasse donacionem illam et concessionem quam dominus Johannes de Lindsay dominus de Byers fecit et concessit dilecto nostro consanguineo Domino Waltero de Innes militi / domino ejusdem / de terris

said James of Innes, and wherein the said Sir Robert dyed last infest, *etc.* dated the first day of February 1464, and sealed." (*Id.*, pp. 20, 21. 23, 25—27.)

In the charter room of the Duke of Roxburghe, at Floors, there is an instrument of sasine, dated the third of February 1484, proceeding upon a precept from the King's chancery, in favour of David Lord Lindsay of the Byres, as nearest heir of John Lord Lindsay of the Byres his father, in the barony of Aberkirdar in the shire of Banff.

In the same archives, there is an instrument of sasine, dated the sixth of February 1472, in favour of Alexander Innes, son of James Innes of that Ilk and of Janet Gordon, of an annuity of forty merks, granted to him by his father, from the lands of Auchindaner, Culvy, Romore, Corsky, Elryk, and Auchintoule, in the lordship of Abirkerdoure and shire of Banff. The witnesses to the infestment are Andrew Done of Rattie, Robert Innes, John Innes, Andrew Innes, George Gordone, Andrew Arde of that Ilke, esquires; Sir Patrick Fyffe vicar of Abberkerdore, and Sir Robert Clark, chaplains. Alexander Gordon of Megmar, brother german of George earl of Huntly, and uncle of Alexander Innes, appears as his procurator. Andrew Murray of Culbardine acts as the bailie of James Innes of that Ilk: his seal, exhibiting the three stars of Murray, with a mark of difference in the centre, is still attached to the deed.

On the fifteenth of March 1479 "the summondis made on the lard of Innes anent the landis of Abirkerdour and Cromy is continewit be the lordis of counsale to the second day of the next chekkre with continiacion of dais / and memorandum that the King is informit that thir landis ar in his handis for falt of entre of the Lorde Ilis." (*Acta Domini Concilii*, p. 22.)

On the twenty sixth of June 1493, "the lordis auditouris decrettis and deliueris that for ocht that thai haf yit sene Alexander Innese of that Ilk dois wrang in the perceptioun vptaking and withalde of the malez and gressoumez of the landis of Monedy Knockcorth Corskee and Dermaster / and tharfore ordinis him to decist and cese tharfra in tyme tocum to be broikit and possedit be Mergrete Culane the spous of vmquhile James Innes of that Ilke for all the dais of hir lif eftir the forme of the charter and possessioun maid to hir thairapone schewin and producit before the lordis and quhill scho be lauchfully put tharfra / and assignis to the said Mergrete the . viij . day of October nixt tocum with continiacion of dais to preif the avale and quantite of the malez and gressoumez of the saidis landis takin vp and intronettit with be the said Alexander and of quhat termes And ordinis hir to haf letrez to summonde hir witnes and the partiis ar summond *apud acta* And also decrettis and deliueris that the said Alexander sall content and deliuer again to the said Mergrete . v . oxen grantit takin be him out of the landis of Abirkerdour and ordinis our Souerane Lordis letrez be direct herapoun And because it wes allegiit be the said Alexander Innes that the said Mergret haid takin contentatioun for the gudis of houshalde clomit in the summondis to extend to ij<sup>c</sup> merkis The lordis tharfore assignis to him the said . viij . day with continiacion of dais to preif sufficiently that scho has takin contentatioun for the saidis gudis and the avale and quantite that was gevin hir tharfore And ordinis him to haf letrez to summond his witnes and the partiis ar summond *apud acta* and failyeing of

baronie de Aberchirder cum pertinenciis infra vicecomitatum de Banff . Tenendis et habendis dicto Domino Waltero et heredibus suis cum omnibus et singulis libertatibus commoditatibus asiamentis et justis pertinentiis quibuscunque [*etc.*] adeo libere et quiete / plenarie / integre et honorifice in omnibus et per omnia sicut carta et euidencia dicti Domini Johannis de Lindsay eidem Domino Waltero inde confecte in se juste continent et proportant . et adeo libere in omnibus et per omnia sicut carta bone memorie quondam Domini Walteri de Lesly / avi nostri / facta quondam Domino Willelmo de Lindsay de Byers consanguineo suo super dictas terras plenius continet et proportat [*etc.*] . In cujus rei testimonium sigillum nostrum presentibus apponi fecimus . Apud castrum nostrum de Dingwall / vicesimo secundo die mensis Februarij . anno Domini millesimo quadringentesimo tricesimo octauo . Testibus venerabilibus viris Willelmo de Lesly vicecomite de Inuernys / Georgio de Munro domino de Foullys . Willelmo de Urchard . Willelmo de Calder . Hugone de Ross . et Murchedo Reuach armigeris .

Anent Mersaris annuel out of Nathurdule . <sup>1</sup> (9 May 1471.)

In the actioun and cause persewit be Elisabethe counetas of Huntle / one the ta pairt again Andro Mersar of Mekilloure one the tothir pairt / anent the spoliacioun of . xvj . oxin out of the landis of Nathurdule / takin be the said Andro for ane annuel as he allegiit / because it is grantit be the Erle of Huntle that thar is ane annuel of . iij . pundis aucht yerely to the said Andro of the said landis / The lordis auditouris assiguis to the said

his preif to pay the saidis gudis And sene it is allegiit that James Innes sone to the said Mergrete is haldin in subiectioun the lordis ordinis the said Alexander to put him to liberte and fredome sa that he may commoune with his moder and frendis." (Acta Dominorum Auditorum, p. 184; Robertson's Parliamentary Records of Scotland, p. 388.)]

<sup>1</sup> [From the Acta Dominorum Auditorum, pp. 10, 11; Robertson's Parliamentary Records of Scotland, p. 160.]

In a roll of missing charters by King Robert III. is "Carta to Michael M[er]se[r], of ane annual rent furth of Finlater, Netherdull, Pettindreich,\* Balleynch, and the town of Perth." (Robertson's Index to the Charters, p. 140.)

In a roll of missing charters by King David II. is "Carta to Thomas Lipp, the lands of Netherdull, of Drumbeth, Pettinbruynache, with the office of constabulary of Culan, in vicecomitatu de Banff." (*Id.*, p. 32.)]

\* [See, as to the lands of Pettindreich, the Acta Dominorum Auditorum, p. 47; the Acta Dominorum Concillii, pp. 22, 192.]

Andro the first day of Junij next to cum with continiacion of days to preif before the lordis of counsaile / that he pundit or gert pund yerely the said landis for the said annuel and that he was stoppit be forse in the raising tharof / and sa mony termes as he may prefe he pundit fore he to be pait tharof of the said oxin / and gif thai oxin be of mare vale / he to restore again the remanent / and the lordis of counsaile to ger be prefit quhat thai war worthe the tyme thai war takin / And ordanis the said Andro to tak lettres to summond his witnes .

Decreitt of the lordis for Johnne of Gordoune of Longar for the avale of the landis of Crommy . <sup>1</sup> (15 February 1493.)

The lordis of consale decrettis and deliueris that Alexander Glaster of the Glak sall content and pay to Johnne of Gordoune of Longar the avale of the landis of Crommy with the pertinentis liand in the lordschip of Abirkerdour within the schirefdoume of Banff insafer as he may sufficiently preif the said landis ar of avale be bying and selling / because the said Alexander grantis in his charter vndir his sele that he has ressauit a certane soume of money fra the said Johnne for the said landis / and also because it is sufficiently prefit before the lordis that the said Alexander has incontrare his saidis lettres annalyit and resignit the said landis in his owr lordis handis as wes sufficiently previt before the lordis .

Declaratio Alexandri Glastir de Glak super terris de Crombie et aliis . <sup>2</sup>  
(A.D. 1493.)

Anno . m<sup>o</sup> . cccc<sup>o</sup> . lxxxiiij<sup>o</sup> . Indictione xj<sup>a</sup> . pontificatus Alexandri Pape sexti anno primo / mensis vero Junij die septimo . In presenciam Dominorum Auditorum causarum et querelarum parliamentj / ac Domini Cancellarij / constitutus honorabilis vir Alexander Glaster de Glak non vi aut

<sup>1</sup> [From the *Acta Dominorum Concilii*, p. 285.

"Ther is a charter of approbation of ane disposition made be John Lord Lindsay of Byres to Murdo Glaster of Glack his heirs and assigns of the lands of Cromie in the baronie of Abirkerder and shire of Bamffe: to be haldin as the charter given be the said Lord bears, which is not ingrossit: salvis Regi et successoribus suis servitiis de eisdem terris debitis et consuetis: At Stirling 13 Octob. 1489." (*Scotstarvet's Collection of Charters*, p. 20., MS. in the library at Skene.)]

<sup>2</sup> [From the *Acta Dominorum Auditorum*, p. 172.]

metu ductus nec errore lapsus sed suo proprio motu / ut asseruit / appro-  
bavit ratificavit et pro se et heredibus suis pro perpetuo confirmavit illas  
donationem concessionem et venditionem alias per ipsum factas Johannj  
Gordoune de Auchluchry super terris de Hiltoune Crombiny terris de  
Litle Warthill et terris de Harelaw cum pertinenciis ac omnes obligationes  
desuper confectas . Et insuper in sua anima declaravit quod ex sua mera  
libera voluntate et animo deliberato incompulso aut coacto prefatas infeoda-  
ciones condiciones obligationes et cartas dicto Johanni confecit / Et ea  
occasione prefatus Alexander Glastir reuocavit prouocavit et pro perpetuo  
adnullavit / prout tenore presentis instrumentj ad animum reuocat prouocat  
et adnullat / quoscunque procuratores cum literis assignationis aut cuiusvis  
potestatis per ipsum Alexandrum factis seu fiendis confectis seu conficiendis  
cuicunque aut quibuscunque persone seu personis in molestationem inquie-  
tationem aut perturbationem dicti Johannis Gordoune heredum aut assig-  
natorum suorum in possessione dictarum terrarum / Declarando prefatos  
procuratores / si qui sint / futuris temporibus in iudicio aut extra nullius  
esse vigoris aut effectus / Et insuper idem Alexander in suo animo decla-  
ravit quod donatio per ipsum facta per cartam et preceptum sasine prefato  
Johanni Gordoune super terris de Crombiny cum pertinentiis fuit per  
ipsum ex sua libera voluntate ut profertur scripta sigillata et dicto Johanni  
deliberata per spatium vnus anni aut magis antequam prefatus Alexander  
aliqualem habuit comunicacionem cum domino de Innys aut cum Jacobo  
Dowglas penes prefatas terras .

## THE PARISH OF ROTHIEMAY.

DESCRIPTION OF THE PARISH OF ROTHIEMAY.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

HE church<sup>2</sup> of Rothemay, dedicated to Saint John, or to Saint Durstan, (I know not certainly which,) stands amid a wood of birch and alder, on Dovert.

Rothemay belonged once to the Abernethies of Saltoun; then, to the Gordons; now, to the Ogilvies.<sup>3</sup>

<sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.]

<sup>2</sup> [The church of Rothiemay was one of the mensal churches of the Bishop of Murray. (*Registrum Episcopatus Moraviensis*, pp. xviii, xix.)

"Renovatio assedationis decimarum garbaliū ecclesiæ commensalis de Rothemaye ab Episcopo Moraviensi cum consensu capituli sui concessa Willelmo domino de Abirnethy Rothemay et Saltoun, et Alexandro magistro Saltoun ejus filio, pro novemdecim annis: solvendo annuatim quadraginta libras; et dictam ecclesiam reparando et supportando: Testibus Georgio comite de Huntlie, magistro Georgio Gordoun constabulario de Baidyenocht, dominis et magistris Magno Vause rectore de Jy, Johanne Gordoun vicario de Keth, Hugone Cragy, Willelmo Wyisman notariis, et domino Thoma Wallace vicario de Spyne: apud ecclesiam cathedralem Moraviensem, 16 Aprilis 1540." (*Id.*, p. 419.)

"Tack of the personage of Rothemay and of the personage and vicarage of Keth set be the Bischop of Murraye with consent of the cheptour to Alexander Lord Saltoun for nyneten yeris: payand thairfor yeirlie 460 merkis to the Bischop at twa termis Sanct Serfis day and All Hallowmess, and to the vicar pensionar of Keith his yeirlie pensoun, and that in consideratioun of the inlaik of corps presents, Pasche fynes, umaist claitis and utheris profeittis of the said vicarage of Keith deducit be the trubill of the kirk laillie maid, quhillk was the maist part of the profeit of the said vicarage; and the said Lord to uphald, beit and mend during the forsaidis yeris the queir of Rothemay in theking and utheris necessaris reparatioun concerning the personage thereof upoun his awin costis: At Spyne and Elgin, 28 Maii 1570." (*Ibid.*)

Extracts from the registers of the kirk-session of Rothiemay, between the years 1604 and 1686, are printed in Gordon's History of Scots Affairs, vol. i. appendix to the preface, no iv., pp. [L.]—[lxii.]

<sup>3</sup> ["There is a tradition here, that Mary, Queen of Scots, passed a night in the house of Rothiemay; and her bed-room is still pointed out. This tradition is confirmed by the authority of Buchanan, who, describing Mary's journey to Inverness, says: 'proxima nox ad Rothimaum, Abrenethiorum villam, satis tranquille transacta est.' (*Rer. Scotic. Hist.* lib. xvii., cap. xxxvi.) Next to the Abernethies, a family of Gordons were proprietors of Rothiemay till the end of the last, or the beginning of the present century, when it was purchased by Ogilvie, whose son sold it to William Lord Braco, father of the present

Decreitt for the teyndis of the kirk of Rothymay.<sup>1</sup> (11 October 1490.)

In the acciounne and cause persewit be Alexander maister of Saltoun one the taparte aganis Alexander maister of Huntle lord Gordounne on the tothir parte ffor the wrangwis spoliaciounne vptakin and withaldin fra the said Alexander maister of Saltoun of the teyndis and proffitis of the kirk of Rothymay of a yere bipast with the mare extending yerely to j<sup>e</sup> merkis pertening to the said Alexander maister of Saltoun be ressoun of tak off a reuerend faider in God Andro bischop of Murray as wes allegiit and for the costis and scathis sustenit be him thairthrow / baith the saidis partiis beand present be thaim self and thare procuratouris thare ressonis and allegacionis hard and vndirstandin / The lordis of consale decrettis and deliueris that the said Alexander maister of Huntle sall restore and deliuer agane the saidis teyndis and proffitis of the forsaid kirk of Rothymay to the said Alexander maister of Saltoun insafar as he may preif the said Alexander lord Gordounne has takin vp / to the produccioun of the quhilk pref the lordis assignis to the said Alexander maister of Saltoun this day xv dais / the xxvj day of October now instant with continiacionne of dais / And ordinis him to haf lettrez to summond his witnes and baith the partiis ar summond be thaim self and thair procuratouris apud acta / And ordinis

Earl of Fife. The most ancient part of the house, which was going fast to ruin, his lordship has lately taken down. About a furlong north from the house is a Druidical temple, which, though situated in the middle of a beautiful and fertile field, a veneration for antiquity has hitherto preserved entire." (The Statistical Account of Scotland, vol. xix., pp. 386, 392. Edinb. 1797.)

"Mr. James Fergusson, well known for his publications on astronomy, was a native of this parish. This information I received from his brother, John Fergusson, an elder of this parish, who died very lately. He told me that his father's name was John Fergusson, his mother's, Elspet Lobban; that they dwelt at the Core of Mayen; that both he and his brother James were born there; that he himself was born in the year 1708, and that his brother James was two years younger. The session-record, which is now before me, confirms this information in every particular: James Fergusson was born on the twenty-fifth of April, 1710. His brother John, who had read the memoirs of Mr. Fergusson prefixed to his works, said, that, though generally agreeable to fact, they were not equally correct in every particular." (*Id.*, p. 392.)

Mr. James Gordon, author of a "History of Scots Affairs, from MDCXXXVII to MDCXLI," and of "A Description of Both Touns of Aberdeen," was parson of Rothiemay from the year 1641, to his death in the year 1686.]

<sup>1</sup> [From the Acta Dominorum Concilii, p. 145.]

that lettrez be writtin chargeing the said Alexander maister of Gordoune to decist and cese of the vexing and trubling of the said Alexander maister of Saltoun in the tak and set of the said kirk to be broikit and joisit be him efter the forme of the lettrez of tak maid be the said reuerend faider to the said Alexander maister of Saltoun thairapoun schewin and producit before the lordis

Confirmacio Regis Roberti pro domino Willelmo de Abernethy de Saltoun .<sup>1</sup> (A.D. 1404.)

Robertus Dei gracia Rex Scotorum omnibus probis hominibus [*etc.*] Sciatis nos dedisse [*etc.*] dilecto confederato nostro Willelmo de Abernethy de Saltoun militi . et Marie sponse sue . totas et integras terras in baronia de Rethy et Kynyaltuy cum pertinentiis iacentes infra vicecomitatum de Forfar . que fuerunt dicti Willelmi et quas idem Willelmus non vi aut metu ductus [*etc.*] in manus nostras coram testibus infrascriptis per fustum et baculum sursum reddidit [*etc.*] . Tenendas et habendas dictas terras cum pertinentiis dictis Willelmo et Marie sponse sue [*etc.*] de nobis et heredibus nostris in feodo et hereditate in perpetuum / per omnes rectas metas [*etc.*] cum omnibus et singulis libertatibus [*etc.*] adeo libere [*etc.*] sicut dictus Willelmus dictas terras cum pertinentiis de nobis ante dictam resignationem nobis factam liberius tenuit seu possedit . Faciendo nobis et heredibus nostris dicti Willelmus et Maria [*etc.*] seruicia debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus Roberto duce Albanie fratre nostro carissimo . reuerendis in Xpo patribus Henrico episcopo Sancti Andree / Gilberto episcopo Abirdonensi cancellario nostro . Dauid Flem- yng . Johanne Liovn . Willelmo de Borthwik militibus . et magistro Waltero Forster secretario nostro . Apud Lynlithcu vicesimo primo die mensis Augusti . Anno Domini millesimo quadringentesimo quarto . Et regni nostri anno quinto decimo .

<sup>1</sup> [From the original in the possession of the Club.

In a roll of missing charters by King Robert I. are "Carta Domini Murdachi de Monteith, of the lands of Rothiemay, in vicecomitatu de Banffe"; "Carta to Murdo Monteith, of the half baronie of Rothiemay"; "Carta to David de Barclay, of the lands of Rothmay, the lands of Brechine and Kinloche; and sundry others, quhilk David de Brechin erga nos forisfecit." (Robertson's Index to the Charters, pp. 16, 20, 26.)

In a roll of missing charters by King David II. is "Carta to William Abernethy, of the lands of Rothemay, whilkis David of Strathbogie forisfecit." (*Id.* p. 52.)]

Confirmacio Johannis Auchanyouche de eodem .<sup>1</sup> (A.D. 1448.)

Omnibus hanc cartam visuris [*etc.*] . Laurentius Abernethy ex eodem de Rothemay miles / salutem [*etc.*] Sciatis nos dedisse [*etc.*] dilecto nostro Johanni Awchanyowche filio et heredi quondam Philippi Auchanyouche / totam terram meam de Auchanyouche cum pertinentiis jacentem in baronia de Rothemay infra vicecomitatum de Banff . Tenendam et habendam predicto Johanni et heredibus suis [*etc.*] in feodo et hereditate imperpetuum per omnes rectas metas suas [*etc.*] et cum omnibus aliis et singulis libertatibus [*etc.*] libere quiete [*etc.*] . Et predictus Johannes faciendo inde nobis et heredibus nostris ac heredes sui tres sectas curie ad tria placita nostra capitalia apud Rothemay singulis annis tenenda cum homagiis et seruicio cum warda et releuo / ac nobis dando unam libram piperis annuatim in Festo Penticostes soluendam si petatur tantum . Et nos predictus Laurentius et heredes nostri predictam terram de Awchanyowche predicto Johanni et heredibus suis contra omnes mortales warantizabimus [*etc.*] . Et nos etiam [*etc.*] predictam nostram nostrarum terrarum donationem [*etc.*] ratificavimus [*etc.*] una cum donatione predecessorum nostrorum . In cuius rei testimonium sigillum nostrum presenti carte nostre est appensum apud Rothemay decimo tertio die mensis Martii anno Domini . m<sup>o</sup> cccc<sup>mo</sup> . xl<sup>mo</sup> . Septimo . Coram hiis testibus . videlicet . Thoma de Gordon armigero domino de Auchinrach . Johanne Duf burgense de Culane . Johanne Gordon filio predicti Thome de Gordon . Ingramo de Gordoun . et Johanne Strathbolge . cum multis aliis .

Protestatioun of the lord Abirnethy .<sup>1</sup> (16 October 1493.)

In presens of the lordis of consale comperit James lord Abirnethy and allegiit that he wes summond at our Souerane Lordis instance for the remanyng fra his hoist in The Ilis / and comperit first at Striuling and tharefter at Sanctandris and comperit at this tyme and producit a copy of the said summondis and offerit him reddy to ansuer to the said summondis / and nain comperand with the principale summondis nor to persew him / and tharapoun askit a not and protestit it sulde turne him to na preiudice quhill he wer ordourly journayit .

<sup>1</sup> [From the original in the possession of the Club.]

<sup>1</sup> [From the Acta Dominorum Concilii, p. 302. See also pp. \* 96, 129, 144, 315, 326, 332; Acta Dominorum Auditorum, pp. 128, 161.]



Instrumentum saisine terrarum de Park de Coryncaryn pro Willelmo domino de Saltone .<sup>1</sup> (A.D. 1537.)

In Dei nomine Amen . Per hoc publicum instrumentum cunctis pateat euidenter [*etc.*] quod anno incarnationis Dominice millesimo quingentesimo tricesimo sexto die vero mensis Februarii tertio Indictione decima pontificatus sanctissimi in Christo patris ac domini nostri Domini Pauli diuina prouidentia pape tertii anno tertio . In mei notarii publici et testium infrascriptorum presentia personaliter constituti nobiles et potentes domini Willelmus dominus de Saltone et Elezebeth Hay eius sponsa in manibus eorum gerentes quoddam preceptum Regium sasine sigillatum sigillo Regio ut michi notario publico subscripto per circumferentiam eiusdem satis ample constabat / et cum eodem ad presentiam prouidi viri Willelmi Fordiss eorum balliui in hac parte specialiter constituti accesserunt et idem presentauerunt [*etc.*] cuius tenor sequitur et est talis . . JACOBUS Dei gratia Rex Scottorum . vicecomiti et balliuis suis de Banff necnon dilectis nostris Willelmo Fordiss ac eorum cuilibet [*etc.*] Quia dedimus [*etc.*] dilecto consanguineo nostro Willelmo domino de Saltone et Elizabeth Hay eius sponse totas et integras terras de Park de Corncayrin cum mansione et domibus earundem jacentes in baronia de Corincairin infra vicecomitatum de Banff / quequidem terre de Park cum pertinentiis fuerunt dicti Willelmi perprius [*etc.*] et quas idem per fustum et baculum in manibus reuerendissimi in Christo patris Gavini archiepiscopi Glasguensis cancellarii nostri nostro nomine et absentia apud Edinburgh sursum reddidit [*etc.*] . Vobis precipimus [*etc.*] quatenus dictis Willelmo et Elezebeth [*etc.*] sasinam dictarum terrarum [*etc.*] juste haberi faciatis [*etc.*] . Datum sub testimonio magni sigilli nostri / apud Edinburgh vicesimo septimo die mensis Nouembris anno regni nostri vicesimo quarto . . Post cuius quidem precepti sasine lecturam et in vulgus exposituram prefatus balliuus siue vicecomes [*etc.*] sasinam [*etc.*] omnium et singularum terrarum predictarum [*etc.*] predictis Willelmo et Elezebeth [*etc.*] contulit [*etc.*] . Supra quibus [*etc.*] prefati Willelmus et Elezebeth [*etc.*] petierunt instrumentum [*etc.*] . Acta erant hec [*etc.*] super fundo dictarum terrarum anno die mense [*etc.*] quibus supra . Presentibus ibidem honorabilibus viris Alexandro Abirnethy de Nathirdaill / Alexandro Murray de Culbairdy / Andrea Schuvind

<sup>1</sup> [From the original in the possession of the Club.]

Alexandro Abirnethy / Thoma Malesone / Willelmo Abirnethy / et domino Alexandro Boneman capellano cum diuersis aliis [*etc.*]

Et ego vero magister Jacobus Currour clericus Abirdonensis [*etc.*]

Jacobus Currour notarius .

#### THE PARISH OF GRANGE, OR STRATHILA.<sup>1</sup>

Carta Willelmi Regis de terra de Strathylaf . data monasterio Sancte Marie de Kynlos . <sup>2</sup> (A.D. 1195—A.D. 1196.)



orum Regum Scocie

WILLELMUS Dei gracia Rex Scotorum . Episcopis . Abbatibus . Comitibus . Baronibus . Justiciariis . Vicecomitibus . Prepositis . ministris et omnibus probis hominibus tocius terre sue . clericis et laicis . Salutem . Sciant presentes et futuri me diuine caritatis intuitu pro salute anime mee et animarum omnium predecessorum et successorum meorum Regum Scocie . et animarum omnium fidelium defunctorum . de-

<sup>1</sup> [" This parish takes its name from *grangia*, a middle age term for a farm, or country residence. This name was given to the lands called The Davoch of Grange by the Abbots of Kinloss, who had here a castle." (The Statistical Account of Scotland, vol. ix. p. 550. Edinb. 1793.) " Grange was a part of the parish of Keith, and was disjoined and erected into a distinct parish, in the year 1618. (Records of the Presbytery of Strathbogy.)" (Shaw's History of the Province of Murray, p. 273.) " The present parish church was originally a chapel built by the Abbot of Kinloss, and dedicated to the Virgin Mary: it is now in a ruinous condition." (The Statistical Account of Scotland, vol. ix. p. 572.)]

<sup>2</sup> [From a copy in Ferrerii Historia Abbatum de Kynlos, pp. 89, 90. Edinb. 1839; collated with another in Shaw's History of the Province of Moray, p. 406.]

" Dominus Andreas, abbas a Kynlos secundus, obiit anno Domini 1189. Putatur vixisse in officio annos 32. Cum nequiret dominus Andreas, mortuo Rege David, par esse tantae fundationi a Kynlos, non destitit Malcolmum Regem ad id operis sollicitare; verum per intestinas seditiones non licuit Malcolmum multa facere. Extincto autem Malcolm, successit Gulielmus Rex, vir pius, qui domino Andreae et surgenti monasterio a Kynlos baroniam a Strathily dono dedit." (Ferrerii Historia Abbatum de Kynlos, pp. 22, 23.)

" Dominus Johannes Ellem, abbas a Kynlos xviii., obiit 4. Idus Februarii anno Domini 1467. Sub hoc abbate vixit Dominus Joannes Marr, vir (uti fertur) magni roboris, et Strathilii custos." (*Id.*, pp. 30, 31.)

Dominus Thomas Chrystallus, abbas a Kynlos xxii, anno Domini 1499. Id. Januarii, a domino Gulielmo Culross, declaratus est abbas monasterii a Kynlos, sub Alexandro summo

disse · concessisse · et hac presenti carta mea confirmasse · Deo et Beate Marie et Omnibus Sanctis · et abbati ac monachis de Kynloss ibidem Deo seruientibus et imperpetuum seruituris · totam terram de Strathylaf · cum omnibus suis iustis pertinenciis ad eandem terram iuste spectantibus seu

pontifice ejus nominis sexto. Obiit Strathily, ea nocte quae sequitur 4. Cal. Januarii, hora fere undecima, anno Domini 1535. . . . Sed illud majoris fuit momenti, quod adversum Alexandrum Gordonium comitem Huntleum, toto septennio, non minore prudentia quam animi constantia, ab hoc abbate pro suo monasterio tuendo gestum est. Cupiebat Alexander, ex Strathily baronia quam habent monachi et abbas a Kynlos, agrum Ballacht suae possessioni accedere; et cum nullum in ea re jus haberet, abbati tamen in rectum prouigilanti, non semel mortem comminabatur. Verum nec terroribus illis adduci potuit abbas ut comiti cederet, nempe ad mentionem mortis intrepidus semper in anteriora sagacissime proficiacebatur. Tandem, post infinitos et animi et corporis labores, acerbissimamque contentionem, optato fine potitus est abbas. Ac in hujusce rei memoriam Alexander comes suae cessionis publicum instrumentum imperavit, cui et sigillum suum, ut in Kynlos videre est, propendit. Huic impeditissimo negotio accessit Alexandri ab Huntli comitis soror Agnes, quam olim in uxorem Jacobus Ogilvius a Finlater habuisse memoriae proditum est. Coeperat illa cum abbate, de agro apud Strathily nomine Hawinthfe, spiritu plenam contentionem; sed abbatis vigilantia, protinus hanc flammam repressit; nec luctari diu potuit illa quin statim causa caderet. Ita res ad abbatem meritissime rediit. . . . Et, ne quis secum reputet, multa ex his parvo aere ita confecta ut nihil unquam gravioris operis sit aggressas, subscribam magnifica quaedam aedificia quae variis locis per eundem sunt erecta. Illud in primis occurrit quod in sui monasterii agro, seu mavis Strathily baronia, nunc cernitur. In formam arcis illic satis amplam nec minus fortem a fundamentis construxit domum, anno Servatoris Christi quinto et vicesimo supra sesquimillesimum. Huic domui porticum cum gradu lapideo pro foribus adjecit. Proxime, ad paranda cibaria, elegantem popinam cocis erexit. Atque in arcis ambitu, veteres et cariosas aedes, in usum postea futurum multiplicem, instauravit per singula . . . Duae moletrinas apud Strathily aedificavit . . . Posuit et in sacello apud Strathily, non contemnendam Divae Virginis et Matris in sole statuatam . . . Ea nocte, quae sequitur quartum Calendarum Januarii, hora ferme undecima, in suo arce Strathilly, vitam morte vir optimus dominus Thomas commutavit. In mortis articulo, sacro primum ceromate delibutus, non semel pientissimi Jesu misericordiam imploravit, petiitque a suis familiaribus si quid acrius interdum in illos fecisset sibi in Illius nomine qui pro nobis pependit in ligno condonarent; remittebat ille vicissim, non solum suorum familiarium, sed omnium hominum adversum se noxam. Et frequenter Divum Hieronymum, quem praecipuum habuit dum viveret inter Divos patronum, inclamabat, ut, deteresa omnium vitiorum in hoc mundo contracta macula, se Domino Jesu conciliaret. Postremo, ubi destitisset eum sermo, infinites crucifixi typum osculabatur, et sublata manu se crucis signaculo identidem muniebat. Ac dum talia verae pietatis argumenta designat vir laudatissimus, animam Christo reddidit. Tertio autem Calendas Januarii delatus ad monasterium sub noctem in sepulchro a se constituto proxime ad summam aram tumulatus est. Requiescat in pace. Amen." (*Id.*, pp. 35, 36, 68, 69, 72, 73, 76, 82—84.)

Dominus Robertus Reid, abbas a Kynlos xxiii., sub autumnum anni 1528, compositis

quoquo modo spectare valentibus in futurum . per rectas suas metas et diuisas quas eisdem fecimus per meliores et antiquiores patrie perambulari . videlicet . a loco vbi Lagyne descendit in Hylaf ascendendo per altum sicum in rubeo musso vsque ad summitatem orientalis Belache . et per summitatem vtriusque Belache vsque eque vltra fontem qui vocatur Lesking Ewin . et ab eodem fonte sicut riolus ipsius fontis descendit per Gradokis in Hylef . et sic ascendendo per Hylef vsque Gethe . et vsque vbi Forgyn descendit in Hylef . et inde ascendendo per Forgyn vsque Algars . et sic vsque Aldrochyn . et ab inde vsque Algargadyn . et ita vsque Ferthekeene . et vsque Telinire et Badnagir . et sic per ascensum aque vsque Hachindaling . et ita vsque Polenterf . et inde vsque Elangyrloy . et sic vsque Tubirnamene . et sic vsque Clochindistone . et ab inde descendendo per Lagyne in Hylef . Tenendam et habendam eisdem monachis et eorum successoribus in perpetuum . in liberam puram et perpetuam elimosinam . in bosco et plano . in terris et aquis . in pratis et pascuis . in moris et maresiis . in siluis et venacionibus . in aucupacionibus et piscacionibus . in stagnis et molendinis . et omnibus aliis ad predictam terram iuste pertinentibus . ita libere et quiete . plenarie et honorifice sicut prefati monachi vel alii viri religiosi Cisterciensis ordinis . aut cuiuscunque alterius religionis . elemosinas suas in regno meo liberius quociens plenius et honorificentius tenent et possident . Testibus . R . episcopo Moraue . J . episcopo de Cathenia . R . episcopo Rossensi .

cum predecessore suis rebus, ex Kynlos Edinburgum rediit, et illic apud Minores Fratres domini Gavini Dumbur Aberdoniarum praesulis ministerio in abbatem inunctus est . . . . Contra dominum a Fynlater nomine Ogylvium lite quam ante annos sexaginta ceperant abbates a Kynlos de quodam agro in baronia Strathily nuper vicit . . . Anno, 1538, idem dominus Robertus Reid abbas particulam quandam terrarum in Strathily quam occupabat Alexander Ogylvius a Fynlater jam ante multos annos, post varias juris disceptationes coram dominis parlamenti et Rege, tandem recuperavit." (*Id.*, pp. 38, 39, 40, 47.)

"The Abbots of Kinloss had in Grange a castle in which they frequently resided, built on the top of a small mount, partly natural, partly artificial, surrounded with a dry ditch, upon the south side of a rising ground, overlooking extensive haughs, and the small river Isla meandering through them for several miles. Of this castle there now remains nothing but a heap of rubbish. At the foot of a small natural mount called The Ladyhill, adjoining the eminence on which the castle stood, is a spring called The Ladywell. Another spring on the south bank of the Isla, directly opposite to the church door, is called The Croikwell. The Gallowhill, a small hill lying north of the church, is so called because it was the place of execution for criminals tried and condemned in the Abbot's regality court." (*The Statistical Account of Scotland*, vol. ix., pp. 550, 552, 555, 581.)]

PRESBYTERY OF STRATHBOGY—GRANGE, OR STRATHILA. 233

· H · cancellario meo · R · de Prebenda clerico meo · Comite Patricio · Comite Dunecano · Comite Gilberto · Willelmo de Moruil constabulario · Roberto de Quinci · Philippo de Valoniis camerario · Willelmo filio Freskini · Willelmo Cuming · Willelmo de Haya · Rogero de Mortimer · Phylippo de Lundin · Waltero Murdache · Harbarto marescallo · Apud Elgyne · ultimo die Julij ·

Carta confirmacionis Regis Alexandri · donacionum predecessorum suorum et aliorum ecclesie Sancte Marie de Kinlos et monachis factarum · <sup>1</sup>  
(A.D. 1226.)

Alexander Dei gratia Rex Scottorum episcopis abbatibus comitibus baronibus justiciarijs vicecomitibus ministris et omnibus probis hominibus totius terre sue clericis et laicis salutem · Sciant presentes et futuri nos concessisse et hac carta nostra confirmasse Deo et ecclesie Sancte Marie de Kinlos et monachis ibidem Deo servientibus et servituris omnes terras et tenementa et redditus eis a predecessoribus nostris et alijs datoribus rationabiliter data et concessa · videlicet · Ex donatione pie recordationis Regis David · Kinlos et Inuerlochketin per rectas divisas suas in bosco et plano in pratis et pascuis in aquis et piscarijs et omnibus alijs ad predictas terras juste pertinentibus · et preterea terram quam ipse Rex David perambulavit sicut rivulus descendit in Maffath et sicut maresia descendit ad nemus · et terram super quam stabat Scoticum molendinum cum piscarijs et omnibus alijs pertinencijs suis · ex dono etiam ejusdem Heth quam Twothel tenuit per easdem divisas per quas ipse tenuit in bosco et plano et aquis · et unum rete in aqua de Eren simul cum burgensibus de Foreis · et boscum de Inche Damin per easdem divisas per quas ipse Rex David eis ostendit coram Episcopo Katanensi et alijs probis hominibus suis · Preterea ex dono pie memorie Regis Malcolmi unam sedem molendini super Maffath cum proxima landella duarum acrarum · et in landella de Burgyn unam carucatam terre legitime mensuratam ·

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 457—459.]

In the charter room at Slaines, there is a copy of a transumpt of a charter by King Robert I. confirming to the abbot and monks of Kinloss "omnes illas terras donaciones et possessiones suas quas habent ex collacionibus serenissimorum principum Regum Scocie predecessorum nostrorum / et aliorum fidelium oblacionibus / infra Moraviam et infra vicecomitatum de Banf · " together with all other their rights, immunities, and privileges. The charter is dated at Air, on the second of May 1312: the transumpt bears to be made at the instance of Adam, abbot of Kinloss, on the fifteenth of February, 1413.]

et ex dono ejusdem tria tofta scilicet unum in Inuernis unum in Foreis et unum in Elgin . Et ex dono Alani filij Walteri dapiferi illos quinque solidos quos ipse de firma trium toftorum suorum de Elgin Foreis et Inuernis eis dedit . Et ex dono Walteri Murdach et assensu Murielis sponse sue totam illam partem terre de Halech de Dundurcus quam proprijs manibus et sumptibus excoluerunt anno et die quo Petrus de Polloch fuit vivus et mortuus per easdem divisas per quas tunc tenuerunt . et de incremento illam particulam terre quam Johannes de Hastings et dictus Walterus Murdach et alij probi homines eisdem monachis assignaverunt cum pastura in carta dicti Walteri Murdach super hoc confecta plenius expressa . Et ex dono Roberti Corbeth tres bovatas terre inter ecclesiam de Gamerin et Trup juxta mare scilicet Lethenoth per rectas divisas suas cum communi pastura et omnibus alijs aisiamentis ad predictam terram juste pertinentibus . Preterea ex donatione domini Willelmi Regis patris nostri totam terram illam in Burgin que est ex aquilonali parte vie regie que vadit de Foreis versus Elgin per divisas contentas in carta predicti domini Regis Willelmi . et terram illam de Inuereren quam Matheus Aberdonensis episcopus et comes Dunecanus de Fif et Hugo clericus predicti domini Regis et Willelmus filius Fresekin eis perambulaverunt per easdem divisas per quas ipsi terram illam eis perambulaverunt . et terram prepositure de Inuereren sicut Willelmus filius Fresekin et Petrus de Polloch illam eis perambulaverunt ita tamen quod retinemus ad opus nostrum piscarias omnes illius terre et duas acras cum piscarijs . et preterea unum toftum in Eren . unum in Aberdon . unum in Banef unum in Berewych . unum in Strivelin . unum in Perth . unum in Munros . ita ut homines eorum super ipsa tofta manentes liberi sint et quieti ab omnibus auxilijs servicijs consuetudinibus et exactionibus secularibus ad nos pertinentibus per servicium quod eis facere debent . et preterea ex dono ejusdem Regis Willelmi . Strathilif per rectas divisas suas et cum omnibus justis pertinencijs suis . Item ex dono David filij comitis Dunecani de Fif totam illam partem terre de Belach de qua inter ipsum David et monachos nominatos quondam fuit contraversia per divisas in carta predicti David expressas . Quare volumus ut prefati monachi omnia prescripta in liberam et perpetuam elemosinam teneant et possideant ita libere et quiete plenarie et honorifice sicut aliqui viri religiosi Cisterciensis ordinis in tota terra nostra elemosinas suas liberius quietius plenius et honorificentius tenent et possident sicut carte datorum

testantur . Salvo tamen servicio nostro de terris de quibus servicium habere debemus . sicut carte et confirmatio domini Regis Willelmi patris nostri inde facte testantur et confirmant . Testibus Thoma de Strivelin cancellario domini Regis . Willelmo Cumyn comite de Buchan justiciario Scotie . Rogero de Quinci . Henrico de Strivelin filio comitis David . Waltero Cumin . Willelmo de Brus . Alexandro de Seton . Michaele Scoto . apud Sconam duodecimo die Februarij anno regni nostri duodecimo .

Anent the maillis of the abbacie of Kynlos . <sup>1</sup> (16 October 1493.)

Anent the actiounes and cause persewit be the Abbot and convent of Kynloss aganis William lord of Sanct Johnis for the wrangwis detentiounes and withhalding fra thaim of the soume of four hundrethe merkis vsuale money of Scotland in the quhilkis he is bundin be ane attentik instrument / for the malez fermez and dewitez of the kirkis of Alvath in Ross and Ellone in Buchane and of the landis of the barony of Straithylay of a yere bipast as wes allegiit / baith the saidis partiis beand present be thaim self and thair procuratouris / The said Abbot grantit him to be emplessit and content of the soume of fiftj merkis of the said soume sa that the said William lord of Sanct Johnis walde bring to him ane acquittance and discharge of maister Hew Martyne / to quham he allegiit he had deliuerit the said . l . merkis in the naim of the said Abbot / And tharfore the lordis assignis to the said William lord of Sanct Johnis the thrid day of Februare nixt tocum with continiatioun of dais to bring the said acquittance and discharge of the said maister Hew of the said . l . merkis / And because

<sup>1</sup> [From the *Acta Dominorum Concilii*, pp. 302, 303.

“ Huic operi successit cum quodam M. Hugone Martini contentio plena laboribus. Acceperat ille, nescio an industria majore an dolo malo potius, subscriptum a Rege diploma, quo cavebatur ut eidem Hugoni quamdiu viveret definitam quotannis pecuniam, hoc est, libras Scoticas centum septuaginta annumeraret abbas a Kynlos. Negabat abbas se quicquam homini debere quod suo monasterio damnosum esset. Contra ille, suum jus et Principis favorem, quo tunc pro arbitrio utebatur, objectabat. Post septennii contentiorem et impensam mille librarum Scotticarum in lite per abbatem, M. ille Hugo, causae suae, mutatis utouque rebus, diffidens pacis condiciones ab abbate propositas lubens accepit: et poterat opprimi, si abbas coeptam litem usque in finem persequi voluisset. Sed secum reputabat vir prudens nequaquam esse fortunae blandienti nimirum fidendum, ne si reflaret denso cum M. Hugone novam litem intendere oporteret. Itaque expensis bene ad utramque partem conditionibus, annum illum censum et perpetuum, libris Scotticis octoginta semel traditis, in totum sopivit.” (Ferrerii *Historia Abbatum de Kynlos*, p. 67.)]

the said William lord of Sanct Johnis allegiit that he had payit to the said maister Hew in the naim and of the command of the said Abbot the soume of ij<sup>c</sup> ducatis extending in Scottis money be thir compt to iij<sup>c</sup> merkis and denyit be the said Abbot that he gaf ony command to deliuer the said soume to the said maister Hew / And also because the said William lord of Sanct Johnis allegiit that he haid payit to the said Abbot and convent threskore of pundis or thareby be assignacioune to certane landis of the said abbay quhilkis wer assignit to him of before and that the said Abbot tuk payment and contentacioun thair of / The lordis of consale thairfore assignis to the said William lord of Sanct Johnis the said day with continiatioune of dais to pref sufficiently that he payit to the said maister Hew of the said Abbotis command the said ij<sup>c</sup> ducatis and also that he assignit to him the saidis landis for the payment of the said threskore of pundis and that the said Abbot wes emplessit of the said assignacioune and intronettit thairwith And ordinis thaim to haf lettrez to summond thair witnes and the partiis ar summond apud acta .

The assediatioun of the landis of Burroleris and The Corbecraig to Androw Pattoun . <sup>1</sup> (A.D. 1539.)

Be it kend till all men be thir present lettres we Walter abbot and convent of Kinloss to our louittis Alexander Jamesoun [*etc.*] constant greting /

<sup>1</sup> [From the original in the possession of the Club.

Of almost all the brethren who subscribe this deed, some notice occurs in Ferrerius' history of the monastery.

" Dominus Jacobus Pont, aliquando subprior, nunc confessor, vir probus; de quo in vita Thomae abbatis plura scribimus." (p. 37.) " In primis, dominum Jacobum Pont. studiose utpote hominem, Aberdonias in Fratrum Praedicatorum collegium formandum literisque diviniorebus imbuendum, Dominus Thomas Abbas transmisit. Erat tum temporis in eo loco vir pius Frater Joannes Adami, Dominicani ordinis in Scotia primas, et theologiae scholasticae doctor insignis, cuius auditor nequaquam ineptus fuit Dominus Jacobus. Ubi accepisset abbas illum proficere, non multo post alterum similiter monachum ad literas apposite natum, cui nomen est domino Waltero Hethon, eadem cura instituendum, eo destinavit. Postquam comperit abbas utcumque in illis literis sufficienter promovisse, ut jam posset uterque domi studendo et docendo per se graviora indies cognoscere, ad monasterium ambos revocavit. Dominus Jacobus subinde, aliquot ex junioribus fratribus domi in diatribis non segniter scholasticis exercuit; domino autem Waltero cessit cantor chori provincia quam etiam nostro tempore retinet. Uterque bonus, et nostrorum (nisi fallat opinio) studiorum non fucatus admirator." (p. 80.) " Dominus Gulielmus Browne, nunc sacrista." (p. 37.) " Dominus Richardus Sand, nunc oeconomus conventus." (p. 38.)



Forsamekill as we with advyss consent and assent of the said conuent being chepiturle gaderit and ryplie advysit heirupoun hes sett and lettin ane assedatioun to our weill lefitt seruitouris Androw Pattoun and Augnes Laungmvr his spouse [*etc.*] of all and haill the sex oxingang landis of Burroleris quhilk now the said Androw and Augnes his spouse occupiis togidder witht the new landis callit The Corbe Craig for all the dais termes ande space of nyntene yeiris [*etc.*] . Oure will is heirfor and we chairge you or ony ane of you [*etc.*] our baillies foirsaid to pas to the said sex oxingang landis [*etc.*] and ther gif him stait and possessioun be thak and rape as use is . The quhilk to do we gif you ful powar be this our precept subscriwit witht our handis and our commoun sele affixit therto At Kinlos the first day of October the yeir of God . m<sup>o</sup> . v<sup>e</sup> . and

" Dominus Gulielmus Forsyth, nunc comes abbatis sui Roberti Reid." (p. 38.) " Dominus Gulielmus Lyell, jucundus homo." (*Id.*) " Dominus Adamus Riddall, nunc chori succentor." (*Id.*) " Dominus Archibaldus Braidwod, nunc guardianus, seu cellerarius potius, quondam Domini Thomae abbatis comes primarius." (*Id.*) " Optimum juvenem dominum Adamum Eldar, primum artium magistrum Parisiis creatum: quantum debeat nostris musis et rectis admonitionibus, dicet (scio) melius nobis." (p. 41.) But see pp. 51—53.

A charter of the lands of Lechnot granted by the abbot and convent of Kynlos to Patrick Cheyne of Essilmonth, dated at Kynlos on the twenty ninth of March 1519, is subscribed: Thomas abbas de Kinloss manu propria . Ego frater Willelmus Merchand subscribo . David Aliat . Patricius Wille . Johannes Kelle . Johannes Ricard . David Spens . Andreas Weddell . Johannes Chyld . Patricius Fotheringhame . David Murray . Jacobus Pont . Walterus Hettoun . Johannes Parson . Johannes Smytht . Servanus Broun . Willelmus Broun subscribo . " (Copy in the charter room at Slaines.) All these monks are commemorated by Ferrerius: " Dominus Gulielmus Merchand, cantor chori, qui phiala argentea et duabus casulis, una byssinia palmata, altera porracea, sacellum Divi Laurentii adornavit, obiit 1520." (p. 31.) " Dominus David Eliot, qui pleraque volumina ritualia, studiosis necessaria vel coemit, vel sua manu descripsit, obiit 1526." (p. 33.) " Dominus Patricius Wilson, vir (ut audio) probus, novitiorum formator, obiit 1525." (pp. 33, 63.) " Dominus Johannes Kelle triduo quam moreretur in templo Eucharistiam sumens, patres rogavit ut funus suum in diem tertium ducerent, et ita evenit: 1522 periit." (p. 33.) " Dominus Joannes Richardi obiit 1526." (pp. 34, 63.) " Dominus David Spens, jam sub Roberto abbate Prior, 1538 migravit ad Dominum: requiescat in pace: fuit vir certe pius et humanus." (pp. 34, 35, 38, 46, 47, 83.) " Dominus Andreas Weddell, et dominus Joannes Childe, qui etiam nunc vivunt, viri senes et probi." (p. 35.) " Dominus Patricius Fotheringame obiit 1532, in Divi Bernardi festo: interfuit funeri Robertus abbas." (p. 37.) " Dominus Joannes Person, institutor novitiorum Belloci, 1539 migravit ad Dominum." (pp. 37, 38.) " Dominus Joannes Smytht, nuper subprior, jam monachorum confessor, simul et bursarius." (p. 37.) " Dominus Servanus Browne, nunc piscationum custos." (*Id.*)

fifty nyne yeiris . Befoir thir witnes Thomas Innes / Maister Eduard Brus . Thomas Leisk / Schir Jhone Anderson witth wtheris diuers . Walterus abbas a Kinloss . Ego frater Johannes Philp subscribo . Ego frater Alexander Bad subscribo . Ego frater Jacobus Kympont subscribo . Ego frater Walterus Hetton subscribo . Ego frater Willelmus Brown subscribo . Ego frater Ricardus Sands subscribo . Ego frater Guillermus Forsyth subscribo . Ego frater Willelmus Lyell . Ego frater Adamus Riddell subscribo . Ego frater Archibaldus Bredwed subscribo . Ego frater Thomas Brown subscribo . Ego frater Jacobus Burt subscribo . Ego frater Adamus Eldar subscribo .

The Rentall of the Abbay of Kynlos .<sup>1</sup> (A.D. 1574.)

The Baronie of Straithylay .

Item, the mains and landis of Straithylay, with tour, fortalice, and orchard of the samyn, The Clerk Sett, Boglugsy, Thoronetoun, Hauches, Murifald, Brakhall, Carinhillis, Craigleithe, Auchindanery, Ouir Mylne, Nethir Mylne, and mylne landis of the samyn, sett for j<sup>c</sup> xxj lib. xv s. j d.

Item, the landis underwrittin, videlicet, the landis of Millegin, Garwotwod, Eister Cranokis, Newland thairof, Westir Cranokis, Eister Croylettis, Westir Croylettis, Ethrea, the half landis of Ballnamene, Fortrie, Newland of Fortrie, the ouer sett and nether sett of Kilmanitie, the landis of The Clerk Saitt of the west syde of the burne, the landis of the xix oxingange of The Knok, sett for j<sup>c</sup> lxiij lib. iiij s.

Item, the remanent of The Knok, extending to xiiij oxingange, set to the tennentis for yeirlie payment of xij lib. xvij d. iiij bollis, iiij firlots custume meill; iiij bollis, iiij firlotis custume aittis; iiij wedderis, iiij quarteris wedder, viij caponis.

Item, the landis of Auchinhovis, with the pendicles, Glengarock and Mengreowis, sett for lxxiiij lib. v s. ij d.

Item, the landis of the hauches of Kilmyntutie sett for v merkis, vi s. viij d., tua firlotis custum meill, and ane boll of custume aittis, ane wedder, ane guis, thrie caponis, and thrie pultrie.

<sup>1</sup> [From Ferrerii Historia Abbatum de Kynlos, pp. 91, 92, 94.]

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The landis of Kelliesmonth, Toirmoir, and Nether Kylmanedy, sett for xxxviij lib. xvij s.

The landis of Pethnik, sett for vij lib. xj s., viij caponis, xvj pultrie, and twa geis.

Item, the landis of Edingeith, with the pendicles, sett for xix lib. vij s. viij d., xj s. ryne marte silver, ij geis, viij caponis, xvj pultrie.

The landis of Over and Nether Cantlie, sett for viij lib. xi s., ij bollis of custume meill, ij bollis custume aittis, ij wedderis, viij caponis, xvj pultrie, xi s. ryne marte silver.

Item, the landis of Fluris, and the landis of the auld toun of Ballamene, sett for yeirlie payment of ix lib. ix s. v d., ij firlois custume meill, ij firlois custume aittis, half ane weddir, xij geiss, iij caponis, iij pultrie, ij s. ix d. in ryne mart silver.

Item, the landis of Windhills, callit the Sauchy town, sett for the yeirlie payment of vij lib. xiiij s. viij d., v s. vj d. in ryne marte silver, ij bollis custume meill, ij bollis custume aittis, ij wedderis, xij geiss, xij caponis, xij pultrie.

Item, the landis of Ouer Hauchies of Kelleismonth, sett for the yeirlie payment of iiij lib. xx d., ij bollis meill, ij bollis aittis, j wedder, j guis, iij caponis, vj pultrie.

Item, the landis of Lynnache, sett for payment of vj lib. xiiij s. iiij d.

Item, the Newlands of Millegin, callit Jonettis Scheill, with Straibknow, sett for the yeirlie payment of xx s.

Item, the Lady land, sett for yeirlie payment of iij lib. vj s. viij d.

Thir ar to be deducit of the money and victuallis aboue specifiet.

Item, to the baillie of Straithylay for his fie, x lib.

Item, to the officiar of Straythylay for his fie, xl s.

## THE PARISH OF KEITH.

DESCRIPTION OF THE PARISH OF KEITH.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)

HE parish of Keith has for its tutelar Saint Summarius, or Samarive, whose fair is held here on the first Tuesday in September.

I find one of Saint Colms disciples called Summarius, in Jonas's Life of Saint Colm quoted in the Scottish Historical Library, page 233.<sup>2</sup> Mr. Thomas Innes takes it to be Saint Malrubius the Hermit<sup>3</sup> (quhose feast is on the twenty seventh of August) called in Irish Sa-Maruve. On Samarevis day (the twenty seventh of August) there is a fair at Forres.

A DESCRIPTION OF THE PARISH OF KEITH IN BANFFSHIRE. A.D. M.DCC.XLII.<sup>4</sup>

Keith parish in Banffshire, is bounded, on the north, by the parishes of Bellie and Raffin (the first whereof lies west from the second); on the east, a little northward, by Grange; on the south, by Cairnie, alias Martin parish; on the west, by Boharm; and on the south west, by Botriphny.

It is enclosed by four hills. On the north side is the hill called Old-More, where one may travel five miles all upon fine heather; under which lies moss ground, containing great plenty of fir under ground, which the people thereabouts dig up, some two fathoms deep; and by this, they are served with winter light, and timber for their houses. In this hill is a large peat bank, about six or seven foot deep, and near two miles long, which may be carried forward some miles without interruption, no stones being there found. The country there abounds much with sheep, having plenty of pasture. On the west is the hill of

<sup>1</sup> [From a MS. Account of Scottish Bishops, in the library at Slaines.]

<sup>2</sup> ["This work of Jonas's is in Surius's Collection on the twenty first of November; and that the author liv'd not long after the Saint himself appears from this expression in his Life: 'Pergentes ergo simul, adolescentem Summarium qui etiamnum superest, comitem sibi adiungunt, et ad destinatum Eremiti locum perveniunt.'" (Nicolson's Scottish Historical Library, p. 233. Lond. 1702. 8vo.)]

<sup>3</sup> ["27. die Augusti. Sanctus Malrubius martyr a Noruegia. Celebris habetur in Mernia." (D. Camerarii de Fortitvdine Scotorvm, p. 168.) See Butler's Lives of the Saints, vol. ii. p. 325.]

<sup>4</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

Muldarie ; on the south, The Cards (Tinkers) Hill ;<sup>1</sup> and on the south-east by east, is The Ballach Hill, affording good pasturage, and fire for that side of the parish.

The church stands upon a little bit of rising ground, in the middle of a little country village, called Keith ; which is situated in such a hollow place, that it can scarce be seen from any place at a quarter of a miles distance from it. In this town is a weekly market, held upon Fridays ; and about a quarter of a mile southward from it, near a small moss, is held a great fair, upon the first Tuesday of September yearly, called Summer Eves Fair, which is said to be the greatest of its kind in Scotland.<sup>2</sup>

The parish is four miles long, and as much broad. The most of it, being arable ground, produceth great plenty of grain.

The church lies six miles north by west from Strathbogy, or Huntly. A small river, termed Yla, runs closs by the north side of the church, having a bridge of one arch : this river takes a little bend toward the north, at ane old ruinous house called Achynachy, two miles south west above the church, where the parish borders with that of Botriphny. From Keith, thro the rest of the parish, this river keeps a pretty straight course eastward, and falls over a steep rock about a quarter of a mile below the church, at an old ruinous house called Milltoun of Keith : the place where the water falls into, hath been sounded with a line of many fathoms, but no bottom found. It runs eastward thro the parish of Grange, and runs into the river of Dovert about five miles and a half below Keith, which

<sup>1</sup> ["There are in this parish the remains of several Druidical circles, now mostly demolished for the sake of their stones. There is one yet very distinct on the top of a hill vulgarly called The Card's Hill. A little below this circle, there is a very fine fountain of excellent water, called Taber-chalich. Near another of these circles, there is another well of the same kind, to which some persons resorted, even in the memory of persons still alive, always leaving some offering behind them." (The Statistical Account of Scotland, vol. v. pp. 429, 430. Edinb. 1793.)

"There was, in the north part of the parish, a rig of uncultivated land, called The Gun Rig, set aside to propitiate the evil spirits : and tradition says, that, when the farmer, about fifty years ago, was about to improve it, one of his cattle fell down dead. A stone coffin, containing some ashes, was found in a heap of stones, which the present tenant removed, he having succeeded in improving the land, without injury to man or beast." (The New Statistical Account of Scotland, number xxxviii, p. 389. Edinb. 1842.)]

<sup>2</sup> ["An annual fair, of very old standing, held here in September, was, some sixty or seventy years ago, the general mart for merchant goods from Aberdeen to Kirkwall : it is still the best frequented market in the north for black cattle and horses." (The Statistical Account of Scotland, vol. v., p. 421. See also The New Statistical Account of Scotland, number xxxviii p. 390.)]

is half a mile south-west from the church and house of Rothemay, the next parish below Grange.

A large bourn, called The Loan Bourn, runs eastward about half a mile northward from the church, and falls into the river Ylay a little below Miltoun.

The principal gentlemen's houses are these following :

The house of Achynanye, lying a mile and a half south-east by east from the church, at the north side of The Ballach Hill : it belongs to Thomas Grant of Arntilly, esquire, who is one of the justices of peace in that country.

A short mile westward from which is the house of Birkinburn, belonging to William Gordon, esquire.

A little to the north from these two houses, there is a small bourn, called The Bourn of Drum, on which is a mill called The Mill of Tarnash, wonderfully situated betwixt two rocks, one whereof hangs very much over the mill, the water falling from a very great height upon the wheel thereof.

Two miles west and by south from the church, is the house of Achanacie, now possess'd by the widow of one Cadie Mitchel, who built it.

A quarter of a mile westward from this house, is a large Episcopal meeting house, at a place called Rosarie, where the minister has a very great auditory. This is the most westward place of the parish, and has The Loan Bourn running close by the south side thereof, which bourn runs by the north side of the house of Achanacie.

A short mile north from Achanacie, and two miles west from the church, lies the ruinous house of Allanbuie ; a little above which is the house of Mukdarie, where the Episcopal minister uses to live.

Near a mile from Allanbuie lies the house of Haughs, also ruinous, a large mile north-west from the church.

A quarter of a mile north from Haughs is the house of Tarmore, lately possessed by Alexander Sutherland of Kinmenity, who, in the beginning of the year MDCCXLII., fell over a fore stair at Fochabers, and broke his scull ; of which he died, leaving a poor widow and a numerous male family in great misery.

Half a mile from Tarmore, eastward, lies the house of Kinmenity, which is going to ruin.

A short mile east from Kinmenity is the house of Newmill, possessed by George Gordon of Glengerach, esquire : it is a mile and a half northward from the church. These places are each below Haughs, about a quarter of mile, on the north side of the river.

A little bourn runs southward into Yla, a little to the east of Kinmenity. In this bourn are many steep rocks, one of which the bourn falls over about eight foot : the rock forms a circle on each side of the place where the water falls ; which circle is about six paces wide, within, at the foot ; but the rock hangs inward

so all around, that it is not above five paces at the top, and on every place it is a good deal higher than that where the water falls over; and the only way to get within it, is by wading up the bourn, where the rock divides to let it out.

Opposite to the house of Newmill is the ruinous house of Kempecairn, on the south side of the river Yla, a long mile eastward from the church. And half a mile east by north from Newmill, lies the small house of Glengerach, two miles north and by east from the church. A large bourn runs by the east side of this house, and takes its course southward: it has a bridge of one arch, and runs into the Yla near two miles below Keith, dividing the parish from that of Grange, of both which Sir Arthur Forbes of Craigvar is patron.

The parish of Keith contains about sixteen hundred examinable persons, and has for its minister Mr. John Gilchrist, who has been there almost all the time since the revolution.<sup>1</sup>

<sup>1</sup> ["Tradition has recorded two skirmishes, that have happened in the parish: one, in 1746, when about seventy of the Campbells, and thirty of Kingston's horse, were surprised by the rebels in the old village, and dispersed or taken after considerable slaughter; the other, about a century before, when a Peter Roy Macgregor, the head of a band of robbers, who infested the country, was taken, and his gang completely dispersed by Gordon of Glengerach, then one of the heritors, after a desperate resistance." (The Statistical Account of Scotland, vol. v., p. 427.)

"This parish cannot boast of having given birth to any distinguished characters, if we except the illustrious Mr. James Ferguson, well known for his mechanical and philosophical genius and publications." (*Id.*, p. 429.) But see above, p. 226, note.

Malcolm, vicar of Keith, ("ego Malcolmus vicarius de Keth subscribo") is one of the clergy of the diocese of Murray who adhibit their consent to the charter of Bricius their bishop, erecting eight prebends in the cathedral church of the Holy Trinity at Spynny, between the year 1208 and the year 1214. (*Registrum Episcopatus Moraviensis*, p. 43.) And he is one of the clergy, in synod assembled, who subscribe the new constitutions of Bishop Andrew de Moravia, at Elgin, within the church of Saint Giles the Abbot, on the fifth of May, 1226. (*Id.*, p. 76.)

Master John Gordoun appears as vicar of Keith from the year 1540 to the year 1547. (*Id.*, pp. 117., 395, 400, 410, 415, 419.)

A manuscript rental of the see of Murray, for the year 1565, preserved in the library of the Faculty of Advocates at Edinburgh, bears, on its last leaf, this note: "This rental was writtin by maister W<sup>m</sup> Wyman wicar of Keith quhae was the best wryttar within the bischopreik of Murray at that tyme." (*Id.*, p. vi., note.)

The worthy and pious Patrick Forbes of Corse was parson of Keith from his admission into holy orders, in the year 1612, until his election to the bishopric of Aberdeen, in the year 1618. See Dr. George Garden's *Vita Johannis Forbesii a Corse*, §. vii., ap. J. Forbesii *Opera Omnia*, t. i. Amstel. 1704. fol.; Bp. Burnett's *Life of Dr. William Bedell*, pref. Lond. 1685.; Wodrow's *Biographical Collections*, vol. ii. MSS. Bibl. Universitatis Glasguensis.

De ecclesiis de Dulbathlach . de Ket . et de Edendiuach . <sup>1</sup> (A.D. 1203—  
A.D. 1224.)

Frater Jacobus domini Pape penitentiarius et capellanus . apostolice sedis legatus . venerabili in Christo patri Bricio Dei gratia episcopo Moraviensi salutem in Domino . Solet annuere sedes apostolica piis votis et honestis petentium precibus benevolum impertiri consensum . Eapropter karissime pater in Christo tuis justis precibus grato concurrentes assensu . personam tuam cum omnibus bonis que in presentiarum rationabiliter possides aut in futurum justis modis dante Domino poteris adipisci sub Beati Petri et nostra protectione suscipimus . specialiter autem de Dulbathlach . de Ket . et de Edendiauch ecclesias quas quidam laici tibi et mense tue pietatis intuitu concesserunt . sicut ea omnia juste ac pacifice et canonice possides et in donatorum auctenticis dicitur contineri . tibi et per te mense tue . auctoritate legationis qua fungimur . confirmamus et presentis scripti patrocinio communimus . Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Siquis autem hoc attemptare presumpserit indignationem Omnipotentis Dei et Beatorum Petri et Pauli apostolorum ejus se noverit incursum . Datum apud Kelcho . xv . Kalendas . Maij .

Confirmatio Honorii Pape de ecclesiis pertinentibus ad mensam Episcopi Moraviensis . <sup>2</sup> (A.D. 1222.)

Honorius episcopus servus servorum Dei dilecto filio electo Moraviensi salutem et apostolicam benedictionem . Solet annuere sedes apostolica piis votis et honestis petentium precibus favorem benevolum impertiri . Eapropter dilecte in Domino fili tuis justis postulationibus grato concurrentes assensu . de Elgyn . de Dyke . de Dunbathelac . de Keth . et de Edendyauch ecclesias ad episcopalem mensam spectantes . sicut eas juste et canonice possidetis et quiete . tibi et per te ecclesie tue auctoritate apos-

His successor in the cure of Keith was the very learned and pious Dr. Robert Baron, who held the charge until the year 1624, and was afterwards professor of theology in The Marischal College at Aberdeen, and Bishop-elect of Orkney. A catalogue of his writings will be found in Gordon's History of Scots Affairs, vol. iii., pp. 235—238, note. See also The Miscellany of The Spalding Club, vol. ii., pp. liii., 150, 151.]

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 16, 17.]

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, p. 63.]



tolica confirmamus et presentis scripti patrocinio communimus . Nulli ergo hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Si quis autem hoc attemptare presumpserit . indignationem Omnipotentis Dei et Beatorum Petri et Pauli apostolorum ejus se noverit incursurum . Datum Lateran . iiii . Idus Maii . pontificatus nostri anno . vii .

Compositio super decimis de Strathylif . <sup>1</sup> (A.D. 1229.)

Noverint omnes hoc scriptum visuri vel audituri quod cum mote essent plures controversie inter Archidiaconum et Precentorem Moraviensis ecclesie super quibusdam decimis nomine prebendarum de Forays de Rathed et de Alvays et rectores ecclesie de Keth nomine ejusdem ecclesie super decimis de Strathylif ex parte una . et Abbatem et conventum de Kynlos ex altera . de consilio proborum virorum et de voluntate et assensu partium nomine prebendarum et ecclesiarum predictarum sic amicabiliter est inter eos compositum et ordinatum . scilicet . Quod predicti archidiaconus et precentor nomine prebendarum et ecclesiarum suarum de Forays et de Rathed et de Alvays . et rectores ecclesie de Keth nomine ejusdem ecclesie . de consensu et assensu totius capituli Moraviensis . totum jus quod dicebant et credebant se habere vel habebant in rebus petitis quietum clamaverunt pro se et successoribus . renunciantes liti mote et movende . impetratis et impetrandis super premissis . in hac forma quod de terra de Strathylif sita in parochia de Keth et terris suis sitis in parochiis de Forays . Rathed et de Alvays cum date fuerint ad firmam vel ex asse vel ex parte . de terris ad firmam datis ecclesie parochiales in quarum parochiis dicte terre sunt site a firmariis omnes decimas et rectitudines ecclesiasticas percipient . De terris autem non datis ad firmam ratione privilegiorum suorum a prestatione decimarum iidem monachi erunt immunes . Episcopus autem Moraviensis omnes donationes dictis monachis rationabiliter factas et omnes libertates et jura quorum confirmatio ad Episcopum pertinet juxta officium sue administrationis confirmavit eisdem . Preterea dictus Episcopus Moraviensis nomine Moraviensis ecclesie ob certas causas et eidem ecclesie necessarias omni juri et exactioni sibi et ecclesie Moraviensi competentibus de illa parte terre que appellatur Kyrkeburne de assensu decani et capituli Moraviensis pro se et successoribus suis penitus et in perpetuum renunciavit . Omnia

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 84—87.]

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<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 84—87.]

autem instrumenta super premissis confecta nisi sint indulgentie vel privilegia quacunque parte fuerint inventa irrita sint et prolata nullam habeant firmitatem ut ex eis jus aliquod habeatur vel adquiratur nisi ad probationem et declarationem in hoc instrumento contentorum . Abbas autem et conventus de Kynlos quo ad terras sitas in parochiis prebendarum et ecclesiarum predictarum quieti erunt et immunes in perpetuum ab omni exactione et prestatione decimarum juxta tenorem privilegiorum suorum . excepto quod pro bono pacis utilitate et incremento episcopatus . archidiaconatus . precentarie ecclesie Moraviensis et ecclesie de Keth . episcopis Moraviensibus ex debito tres solidos et . iiii . denarios . archidiaconatui tres marcas . precentarie . x . solidos . et ecclesie de Keth . vi . marcas singulis annis persolvent . sub hac forma . scilicet . quod si dicti monachi totas terras suas sitas in parochiis de Forais . de Rathueth . de Alvays . et de Keth vel in aliqua istarum parochiarum totam terram suam ad firmam dederint . ecclesia in cujus parochia sita est terra ad firmam data omnes decimas et rectitudines ecclesiasticas a firmariis predictarum terrarum plene percipiet et integre . et dicti monachi quieti erunt a solutione portionis dicte pecunie que contingit archidiaconum vel precentorem si in eorum parochia . vel ecclesiam de Keth si in ejus parochia . sita est terra data ad firmam . Si autem aliquotam partem dederint monachi ad firmam terrarum in predictis parochiis sitarum de tota portione pecunie predictae quieti erunt et absoluti quota portio terre ad firmam data fuerit . quoad eos in quorum parochiis terre site fuerint ad firmam date . et residuum integraliter persolvetur . Ita tamen quod predicti tres solidi et quatuor denarii singulis annis in perpetuum solventur episcopis Moraviensibus pro decimis domini Regis de Burgyn . et hec supradicta singulis annis secundum formam singulis solventur ad Festum Sancti Martini in hyeme . Terra quidem ad monachos termino firme elapso devoluta contenti erunt predicti archidiaconus . precentor et rectores ecclesie de Keth . necnon et omnes eis in posterum successuri . suprataxata pecunie summa eisdem annuatim persolvenda juxta predictam distinctionem . Ad hec igitur fideliter tenenda et servanda dicti Episcopus . Archidiaconus et Precentor Moraviensis . nomine episcopatus . de Forays . de Rathueth . de Alvays prebendarum . et rectores ecclesie de Keth nomine ejusdem ecclesie . Abbas et monachi memorati . per solempnem promissionem et presentem scripturam se obligaverunt . quibus omnibus auctoritas Episcopi cum consensu capituli sui interveniente accessit et hec omnia confirmavit juxta

quod in instrumento ejusdem auctentico super hoc confecto plenius continetur . ut ordinatio ista realis sit et non personalis . In horum autem firmum et indubitabile testimonium ei parti scripture in modum cyrographi confecte que penes predictos Abbatem monachos et conventum remanet appensa sunt sigilla domini Alexandri illustrissimi Regis Scotie et predictorum Episcopi et capituli Moraviensis . necnon et decani . archidiaconi . precentoris . et cancellarii Moraviensis . cum subscriptionibus canonicorum Moraviensis ecclesie . ei autem parti que penes sepe dictum Episcopum et capitulum Moravie habetur appensa sunt sigilla Abbatum de Melros . de Neubotyl . de Cuper . de Sancto Servano . de Deer . et de Sancto Edwardo . una cum sigillo predicti Abbatis de Kynlos . cum subscriptionibus monachorum suorum . Conventum est autem et promissum solempniter et per presentem solempnem scripturam obligaverunt se sepe dictus Episcopus pro se et successoribus suis . dicti archidiaconus et precentor . capitulum Moraviense . et rectores ecclesie de Keth . item predictus Abbas et conventus de Kynlos . pro se et sibi in posterum successuris . ad subeundam penam centum marcarum solvendam servantibus supradictam fideliter in omnibus ab hiis qui contra eam in aliquo temere venire presumpserint vel attemptaverint . Actum anno gratie . m<sup>o</sup> . cc<sup>o</sup> . xx<sup>o</sup> ix<sup>o</sup> . mense Septembri . xii . Kalendas Octobris . Anno regni domini Alexandri Regis Scotie . xv . Apud Kynlos per manus Roberti ejusdem loci supprioris . Ego frater Herbertus dictus Abbas de Kynlos per manum fratris supprioris subscribo . Ego frater Symon prior subscribo . Ego frater Robertus de Aberden subscribo . Ego frater Alketinus de Pethmus subscribo . Ego frater Robertus de Saute subscribo . Ego frater Benedictus Augustini subscribo . Ego frater Teodicus de Jar' subscribo . Ego frater Willelmus de Invernar subscribo . Ego frater Willelmus de Salteby subscribo . Ego frater David de Lynton . Ego frater Ricardus de Jenico . Ego frater Rogerus de Muy . Ego frater Robertus de Duffus . Ego frater Henricus de Kyntessoc . Ego frater Hugo de Abyrden . Ego frater Thomas de Fif . Ego frater Robertus de Elgyn . Ego frater Alanus de Forays . Ego frater Radulphus de Abyrden . Ego frater Henricus de Gyseburn . Ego frater Ricardus de Addun . Ego frater Willelmus de Dundee . Ego frater Alexander de Inuernys . Ego frater Robertus de Addun . Ego frater Serlo de Anegus subscribo .

Decreitt for the lady Abirnethy aganis Cristj Prat for the wrangwis occupatioun of the landis of Masle and Edintor . <sup>1</sup> (30 June 1489.)

Anent the actionne and cause persewit be Issabell the spous of vmquhile William Lord Abirnethy in Rothimay agane Cristj Prat for the wrangwis occupatioun and manurin of the landis of Masle and Edintoir with the pertinens liand within the schirefdoume of Banff pertening to hir in coniunctfement as wes allegiit And for the wrangwis vptakin and withaldin of the malex and proffitis of the samyn of the terme of Mertimes last bipast extending to vij merks / The said Cristj beand lauchfully summond oft tymmes callit and nocht comperit the said Issabell beand personally present hir richtis ressonis and allegationis sene harde and vndirstandin / The lordis auditouris ordanis that for ocht that is yit sene the said Cristj sall decist and cese of the occupatioun and manurin of the said landis and suffre the said Issabell to broik and joise the sammyn eftir the forme of hir letrez of coniunctfement and sesing gevin thairapoun schewin and producit before the lordis and quhill scho be lauchfully put thairfra And as to the avale of the malex and proffitis of the said landis and hir costis and scatthis the lordis ordanis that letrez be writtin to the schiref of Banff and his deputis to tak the preif thairof before him set a day tharto and warne the partiis tharof and insafar as beis prefit that he mak the said Issobell be pait /

Anent the tak of the landis of Masle and Edintor . <sup>2</sup> (27 February and 9 October 1490.)

In the acciounne and cause persewit be Issabell lady Abirnethy the spous of vmquhile William Lord Abirnethy in Rothymay / William Bailye of Ardele and Johne of Gordoune in Auchindrum / aganis Johne of Gordoune in Portare and Alexander Gordoune of Mildare / That is to say to ansuer to the said Issobell for the wrangwis vexing and trubling of hir said tenentis of the landis of Masle and Edintor with ther pertinens liand within the schirefdoume of Banff and to the said William Bailye and Johne of Gordoune for the wrangwis detenciounne and withalding fra tham of the proffitis of the saidis landis pertening to thaim be ressounne of assedaciounne of the said Issobell as wes allegiit / extending to x chalderis of aitiss sawing

<sup>1</sup> [From the *Acta Dominorum Auditorum*, p. 128.]

<sup>2</sup> [From the *Acta Dominorum Concilii*, pp. 129, 130, 144.]

estymeit to the thride corne xx bollis of bere sawing estymeit to the ferde corne and fourtj schillingis of siluer as wes elikwise allegiit and as is contenit in the summondis / All the saidis partiis beand present be thaim self and thair procuratouris thair ressounis and allegacionis harde and vndirstandin the said William Bailye and Johne of Gordoune producit a lettre of tak of the said landis of the said Isobell / And because it wes allegiit be the said Johne of Gordoune in Potare and Alexander Gordoune that thai haid tak of the said landis before the tak maid to the said William and Johne and that a parte of the termes tharof wer tocum the lordis of consale tharfore assignis to the saidis Johne and Alexander the xv day of Junij nixt tocum with continiacione of dais to preif sufficient the said tak And attour the lordis decrettis and deliueris that the said William and Johne sall remane in the tak of the said landis in the meyntyme but preiudice of partij and that lettrez be direct thairapoun And as to the proffitis of the said landis and the remanent of the summondis the lordis contenewis that parte thair of to the said day with continiacion of dais / And baith the partiis ar summonde be thaim self and thair procuratouris apud acta and ordinis thaim to haf lettrez to summonde thar witnes to the sammyn day .

Anent the terme assignit to Johnne of Gordoune in Potare and Alexander Gordoune in Myldar to preif sufficiently that thai had tak and set of the landis of Masle and Edintor with thair pertinens liand within the schirefdoum of Banff of Issabell laidy Abirnethy before the tak maid be the said Issabell vndir hir sele to William Bailye of Ardnele and Johne of Gordoune in Auchindrum of the sammyn landis / the said Isabell William Bailye and Johne of Gordoune in Potare beand personaly present and the said Alexander Gordoune beand warnit lauchfully oft tymmes callit and nocht comperit / the said Johne of Gordoune deferrit the said preif to the aithe of the said Issabell quhilk maid faith that scho maid him na tak of the said landis / And tharfore the lordis of consale decrettis and deliueris that the said Johne of Gordoune in Potare and Alexander Gordoune sall decist and cese of all vexing and inquieting of the said William Bailye and Johne of Gordoune in Auchindrum in the said landis endurand the termes of thare takis because the saidis Johne of Gordoune in Potare and Alexander Gordoune failyeit in thare preif at the terme assignit to thame And ordanis our Souerane Lordis lettrez to be direct herapoun .

Sequitur tenor obligacionis Johannis Gordoune de Longare facte reuerendo domino Patricio Moraviensi episcopo .<sup>1</sup> (A.D. 1540.)

To all and sindrie quhais knaulege saltocum Johanne Gordoune of Lungar greting in God euirlesting / For samekille as anne reuerend fader

<sup>1</sup> [From the Registrum Recentius Ecclesie Cathedralis Moraviensis, MSS. Adv. Bibl. (a. 1. 41.)]

"Carta feodifirmae ab Episcopo Moraviensi, cum consensu capituli, concessa Johanni Gordoune de Longar et heredibus masculis de corpore legitimis; quibus deficientibus, Willelmo Gordoun et Georgio Gordoun filiis naturalibus inter ipsum et Jonetam Maitland procreatis, et eorum heredibus masculis de corpore respectivo; quibus omnibus deficientibus, heredibus masculis dicti Johannis quibuscunque; terrarum de Petlurge, Ovir Auchquhortheis, Nethir Auchquhortheis, cum crofta de Petruchany in baronia de Keth, et vicecomitatu de Banff: reddendo inde annuatim 22 lib. 6 sol. 8 den.: cum privilegio de unica saisina capienda apud Petlurge: Testibus Willelmo domino Saltoun, Thoma Ogilvy, Patricio Kynnarde, magistro Johanne Gordoun burgensi de Aberden, Andrea Ogilvy, Johanne Oliphant, domino Willelmo Abercrommy canonico, magistris Johanne Douglas vicario de Galstoun, et Andrea Strang notariis: Apud ecclesiam cathedralem, 1539." (Registrum Episcopatus Moraviensis, pp. 414, 415.)

"Carta feodifirmae ab Episcopo Moraviensi facta Georgio Ogilvy de Miltoun, de terris de Auchquhennany, Litill Cantuly, una cum brasina de Keyth et crofta ejusdem alias vocata Cragdufcroft, jacentibus in baronia de Keyth et vicecomitatu de Banff: reddendo annuatim 27 lib. 4 sol. 11 den.: prestando sectam in tribus curiis capitalibus de Spyne et in quolibet itinere justiciarie regalitatis: cum privilegio unice saisinae capiendae non obstante quod non jacent invicem contiguae: Testibus magistro Henrico Lumisdail rectore de Kynkell, Jacobo Ogiluy de Cullard, Willelmo Ogiluy, Hugone Cragy, Willelmo Wysman, Joanne Gibsoun, notariis: Apud Elgin, 11 Aprilis, 1545." (Registrum Episcopatus Moraviensis, p. 394.)

"Carta feodifirmae terrarum de Birkinburne et Auchindeth, in baronia de Keyth, regalitate de Spyne, et vicecomitatu de Banff, ab Episcopo Moraviensi, facta magistro Adamo Gordoune et Cristinae etiam Gordoune ejus sponsae eorumque heredibus masculis: reddendo 10 lib. 13 sol. 4 den.: cum privilegio de unica saisina: Testibus magistro Johanne Gordoun vicario de Keyth, Alexandro Dunbar in Blare, Jacobo Innes de Drany, Willelmo Innes in Newtoun, Theophilo Jhounsoun, domino Johanne Portar, domino Johanne Haggis, magistris Hugone Cragy, Willelmo Wysman, Johanne Gibsoun: Apud Elgin, 23 Junii 1547." (Registrum Episcopatus Moraviensis, p. 395.) "Preceptum saisinae earundem terrarum: Testibus ut supra: Apud Elgin, 23 Junii 1547." (*Ibid.*) Preceptum de clare constat ab Episcopo datum ad infeodandum Joannem comitem Sutherlandiae in terris predictis sicut heredem magistri Adami Gordone patris: Testibus Jacobo Innes de Dranye, Johanne Innes in Knochillis, domino Jacobo Sibbald et domino Johanne Gibsoun notariis; dicto Jacobo Innes ballivo: Apud Spyne, 14 Decemb. 1555." (*Id.*, pp. 395, 396.) "Confirmatio ab Episcopo cartae venditionis earundem terrarum a Johanne comite Sutherlandiae



in God Patric be the mercy of the samyn bischep of Murraye and commendatoure of Scounes etc. hes withe consent and assent of his dene / and cheptour / set to me in fewferme heretabillie / all and hail the landis of Auchquhorteis / Petlurge and the croft of Petruthin with thair pertinence

*factae magistro Johanni Campbell commendatario de Ardchattane: tenendarum sub eisdem conditionibus quibus ipse comes prius easdem tenuit: Apud Fores, 21 Sept. 1556: Testibus Roberto Dunbar de Durris, Archibaldo Brown burgensi de Fores, Jacobo Freser servitore comitis, domino Joanne Gibsoun: Testibus ad confirmationem Episcopi, Andrea Moncreiff juniore, Willelmo Moncreiff, Georgio Ogilwe de Awquennane, magistro David Trumbill, domino Joanne Gibsoun: Apud Spyne, 24 Septemb. 1556." (Id., p. 396.) Carta feodifirmae ab Episcopo facta earundem terrarum Alexandro Gordoun de Peralie, resignatarum a dicto commendatario de Ardchattane in favorem ipsius Alexandri, pretio 1100 mercis ab Alexandro soluto; tenendarum sub conditionibus cartae Adami Gordoun: Testibus domino Valtero Ogilwe de Boynd milite, Georgio Barclaye de eodem, Georgio Ogilwe de Auquennane, magistro Willelmo Gordoune de Tarparsie, Johanne Gordoune de Ardacht, Andrea Moncreiff juniore et domino Johanne Gibsoun notario: Apud Elgin, 12 Feb. 1556." (Ibid.) "Preceptum de clare constat ab Episcopo datum ad infeodandam Jonetam Gordoune relictam quondam Alexandri predicti in sua tertia parte terrarum predictarum: ballivis, Jacobo Innes de Dranye et Roberto Innes ejus filio et herede apparente: Testibus Davide Cumming, Alexandro Hepburne, Joanne Hepburne, Willelmo Lermond servitoribus Episcopi et domino Joanne Gibsoun rectore de Unthank, notario: Apud Spyne, 24 Maii 1570." (Ibid.)*

"Litera assedationis ab Episcopo Moraviensi cum consensu capituli concessa Willelmo domino de Abirnethy Rothemaye et Saltoun et Alexandro magistro Saltoun ejus filio, decimarum rectoriae et vicariae ecclesiae de Keth, pertinentis mensae Episcopali, pro 19 annis: reddendo 50 marcas annuatim: Testibus Georgio comite de Huntlie, magistro Georgio Gordoun constabulario de Badyenocht, dominis et magistris Magno Vause rectore de Y, Johanne Gordoun vicario de Keth, Hugone Cragy, Willelmo Wysman notariis, et domino Thoma Wallass vicario de Spyne: Apud ecclesiam cathedralem, 16 Aprilis, 1540." (Registrum Episcopatus Moraviensis, p. 410.) "Tack of the personage of Rothemay and of the personage and vicarage of Keth set be the Bischop with consent of the cheptour to Alexander Lord Saltoun for nyneten yeris: payand thairfor yeirlie 460 merkis to the Bischop at twa termis Sanct Serfis day and All Hallowmess, and to the vicar pensionar of Keith his yeirlie pensioun, and that in consideratioun of the inlaik of corps presents, Pasche fynes, umaist claitis and utheris profeittis of the said vicarage of Keith deducit be the trubill of the kirk laillie maid, quhilk was the maist part of the profeit of the said vicarage; and the said Lord to uphald beit and mend during the forsaidis yeris the queir of Rothemay in theking and utheris necessaris reparatioun concerning the personage thereof upon his awin costis: At Spyne and Elgin, 28 Maii 1570." (Id., p. 419.)

"Carta feodifirmae ab Episcopo Moraviensi cum consensu capituli data Jacobo Innes de Drany et Katherinae Gordoun ejus sponsae, terrarum de Roustis croft, Baxter croft, apud Elgin in baronia de Spyne; brasinae superioris et brasinae inferioris de Kynnedor, cum 2 acris terrae; et croftae de Edindeath in baronia de Keth et vicecomitatu de Aberdene: reddendo annuatim 9 lib. 6 sol. 8 den., 6 duodenas caponum, 6 aucas, cum astrictis

liand within his barony of Keth and regalite of Spyne to be haldin of him / his successouris / and the kirk of Murray / THAIRFOR I obleis me my airis / successouris and assignais / of the saidis landis / to be lele / trew / and faithfull to the said reuerend fader his cheptour thair successouris and to the kirk of Murray / And to manteinne and defend the samyn and to serve the said reuerend fader / and his successouris / in oure Soueranne Lord and his successouris weeris / be ws or oure subtenentis of the said landis / gif we be requirit thairto / And als quhen we be requirit be the said reuerend fader / dene or cheptour or ony vther persoune beneficiare within the diocesy of Murraye / to ressaive thair teynd schavis / vpoune the forsaidis landis / wee sall graunt compotent and conuenient place and robure to ressaive the said teyndis for keping / and sauffing of the samynn / to the vtilite and proffitt of the awnere thairof / but delay fraude gyle and decepcioun / my avne teynd being exceptit / And to obserue and keip the punctis forsaid I obleis me my airis / successouris and assignais / as said js . In witnes heiroy I haiff affixit my propir scele to this my obligacioune and subscriuit the samyn with my hand at the penn led be maister Williame Wysman notair public / At Petlurge the levynt daye of Maij jn the yere of God j<sup>m</sup> v<sup>c</sup> and fourty yeris / Befoir thir witnes master Thomas Gaderare persoune of Murthlik / Johnne Gordoune vicar of Keyth / Schir Johnne Maitland chaiplane / Thomas Bard Robert Innes and Dauid Bogy with vtheris diuers .

Sequitur subscripcionis tenor /

Johnne Gordoune of Petlurge and Lungar with my hand at the penn led be master William Wysman notair public .

Octauo die mensis Nouembris anno Dominj millesimo quingentesimo quadagesimo .

Quo die Johannes Gordone antedictus ex eius propria confessione voluntarie monitus est pro se suis heredibus et assignatis ad obseruandam et perimplendam prefatam obligacionem in omnibus suis punctis et articulis et non contraueniendo eidem in futurum sub pena excommunicacionis maioris

Thomas Gaderar commissarius .

multuris molendino de Bischope mill et molendino de Keith : in fine continetur preceptum saisine, Alexandro Slorath, Alexandro Wysman ballivis : Apud Edinburgum et Elgin, 28 Decembris et 4 Ianuarii 1562." (Registrum Episcopatus Moraviensis, pp. 420, 421.)]

## THE PARISH OF BOTRIPHNY.

DESCRIPTION OF THE PARISH OF BOTRIFFNIE OR FUMAC KIRK.<sup>1</sup> (*circa* A.D. M.DCC.XXVI.)



OTRIFFNIE, or Fumac Kirk, hath for its patron Saint Fumac, quhose wooden image<sup>2</sup> is washed yearly, with much formality, by an old woman (quho keeps it) at his Fair (on the third of May <sup>3</sup>) in his own well here.<sup>4</sup>

THE PARISH OF MURTHLAC.<sup>5</sup>

DESCRIPTION OF THE PARISH OF MURTLACH.<sup>6</sup> (*circa* A.D. M.DCC.XXVI.)



MURTLACH (so named *quasi, mortis lacus*) is dedicated to Saint Moloch. It is a large church.<sup>7</sup> Saint Beyne lyes in the postern, and his two successors in the church-yard. It has a bell, called Ronnach, said to have been brought from Rome.

Hard by it is Balveyney castle, so named from Saint Beyne.

Dulan river is said to have been dammed up, and then let out upon the Danes. It runs into Fiddich, which is a swift river.

<sup>1</sup> [From a MS. Account of Scottish Bishops in the library at Slaines.]

<sup>2</sup> [The wooden image of Saint Fumac, having been swept away by a flood of the Ila, was carried down to the mouth of the Deveron at Banff, where it was stranded; and they yet live, it is said, who remember to have seen the statue committed to the flames, as a monument of superstition, in presence of the parish minister.]

<sup>3</sup> ["An annual fair is held here in *February*." (The Statistical Account of Scotland, vol. x. pp. 190, 191. Edinb. 1794; vol. xviii. p. 647. Edinb. 1796.)]

<sup>4</sup> ["The church of Botriphnie was built in the year 1617." (The Statistical Account of Scotland, vol. x. p. 192; vol. xviii. p. 645.)]

<sup>5</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 649, 650.]

<sup>6</sup> [From a MS. Account of Scottish Bishops in the library at Slaines.]

<sup>7</sup> ["The church is indeed venerable, but only because it is old. Tradition reports that

A DESCRIPTION OF THE PARISH OF MURTHLACK.<sup>1</sup> (*circa* A.D. M.DCC.XXX.)

The parish of Murthlack, in the shire of Banff, hath to the north, the parish of Bohern; to the south, the parish of Cabrach; to the east, the parishes of Glass and Botriphny; to the west, the parish of Aberlour.

The church lies eighteen miles from the town of Banf, and six long miles from the village of Keith. It stands closs on the west side of the rivulet Dullan, which runs into the water of Fiddich, a quarter of a mile from it northwards.

There are three small rivers that have their rise in this parish; two of which are exceeded by few in the island for their clear stream and pleasant aspect, having their banks covered, from their fountains until they run into Spey, with birch, alder, and hazle, and that in great abundance.

its walls are the very same as in the beginning of the eleventh century; and they are so strong that it is thought they may stand for hundreds of years to come. The doors and windows, and the simplicity of the whole edifice, bear witness to its age. The windows are long narrow slits of six feet high, and only ten or eleven inches wide on the outside, but so much sloped away as to measure at their utmost projection ten or twelve feet within. Its shape is that of an oblong, of about ninety feet by twenty-eight. The choir on the east end is twenty-seven feet long, and a few feet higher than the rest of the building. On the ridge of the choir is what they call The Three Bishops, a pyramid like stone of little show, with the semblance of a face on each of its sides, right rudely cut. It has been said that the effigy of Bishop Beyn is to be seen in the wall near the postern door, whereabout it is imagined the tomb of the three first bishops might be found under a vault; but this, at least as to the effigy, is not the case; and for the tomb there has been no search. Nor are there any effigies in the church, except one at full length, over the door which leads from the choir to The Leslie's Aisle, or burying ground, (with no inscription, but called a predecessor of the Kinninvie family); and two half lengths of Alexander Duff of Keithmore, and Helen Grant of Allachie, his spouse, on the south side of the choir, with a Latin inscription. There is another inscription in marble, on a monument to Mr. Hugh Innes, first presbyterian parson of Mortlach after the revolution. There are likewise some very ancient looking gravestones with Saxon characters, below the seats and in the passages. On the banks of the Dullan, a little below the church, appears the foundation of a house overgrown with grass, which would be walked over with little notice, if one were not told that here was the Bishop's palace. Not far thence is a part of the public road, on the opposite side of the same rivulet, leading to the east, called Gordon's Cross. A round stone, which is thought to have been the pedestal of the cross, remains to be seen. There is on the glebe a standing stone, having on two of its opposite sides some rude and unintelligible sculpture." (The Statistical Account of Scotland, vol. xvii. pp. 430—432, 445. Edinb., 1796.) "There is on the glebe a large upright stone about seven feet high, on the one side of which are rudely carved a cross and two figures of animals, and on the other side a snake." (The New Statistical Account of Scotland, number xi. p. 106. Edinb. 1836.) "The church was a little modernized by an addition made to it seven years ago." (*Id.*, p. 108.)

<sup>1</sup> [From Macfarlane's Geographical Collections for Sootland, MSS. Adv. Bibl.]

The lesser of these two is Dullan, having its rise in the hill of Curquhaby, and from the foot of Belrinnis, a large mountain lying partly in Inverawm and partly in Aberlour parish, four miles from the church to the south-west.

The greater is Fiddich, having its rise partly from the hill and partly from the Alachymachan, five large miles from the church to the south-west. From thence, running north-east four miles, through a glen and forrest to which it gives name, it hath, on its northern bank, the decayed Castle of Auchindown,<sup>1</sup> standing on a rising ground, a mile from the church southwards; and from thence a short half mile, the house of Keithmore, standing on the same side of the river: turning its course here north-westwards, a large mile to the place where it receives the rivulet of Dullan, a short quarter of a mile from the church to the north; and from thence running northwards a short quarter of a mile, it hath, standing on its western bank, the old Castle of Balvanie,<sup>2</sup> at first built by and since rebuilt by Stewart, Earle of Athol; and from thence, a quarter of mile northwards, a new house, built by William Duff of Braco, *anno* M.DCC.XXIV. It is distant from Elgin to the north ten miles, from Aberdeen to the south-east thirty-two miles, from Castle Gordon six miles. Half a mile from Balvanie, northwards, stands the house of Tullich, on the east side of the water of Fiddich; and half a mile from that, to the north, stands the house of Kinninvey, on the same side of the water. This rivulet of Fiddich, half a mile below Kinninvey, turning north-west, and continuing its course that way for a large mile, falls into Spey at a place called Boat of Fiddich, in the parish of [Aberlour.]

The third rivulet is Pla, having its rise in that place where Mortleisch marches with Botriphny, from a loch commonly called Loch Park, lying from Balvanie a mile to the east, scarcely a quarter of a mile in breadth where broadest, and half a mile in length, and sending forth its waters eastwards through the parish of Botriphny, gives rise to the water of Pla.

Four miles from the church, eastwards, stands the house of Edinglassie, with a burgh of barony and tolbooth, and yearly fair, closs on the west side of the river Dovert, which separates the parish of Glass from the parish of Mortleisch.

It is of an fruitfull soill.

The King is patrone.

<sup>1</sup> [The Castle of Auchindune stands on a green mount of conical shape, over the Fiddich: its situation is bold and commanding." (The Statistical Account of Scotland, vol. xvii. p. 440.)]

<sup>2</sup> ["Balvenie Castle is placed on a beautiful eminence on the banks of the Fiddich, a little below its confluence with the Dullan. In the front and high over its iron and massy gate, which still remains, is the motto of the Earls of Athol, 'FVRTH · FORTVIN · AND · FIL · THI · FATTALIS · '" (The Statistical Account of Scotland, vol. xvii. pp. 440, 441.)]

A DESCRIPTION OF MORTLACH PARISH, IN BANFFSHIRE, BY JAMES FERGUSON.  
A.D. M.DCC.XLII.<sup>1</sup>

Mortlach parish is bounded, on the north, by a part of Aberlour and Boharm parishes; on the east, by part of Botriphny and Glass, as also by part of the river Dovert, and the parish of Cabrach; and on the west, by Glenlivet and part of the parish of Inner Avon. Its length, from east to west, is eighteen miles; its breadth, about five miles.

The church lyes west by south of Huntly.

The house of Balveny, belonging to Lord Braco, lies one mile east and by north from the church.

The houses of Kininvie and Tullich lie, the first, a mile and an half, the other, two miles, north-east from the church. These houses, together with the church, have the river Fiddich running by them, which discharges itself into that of Spey a little below Kininvie.

An old Castle, called Auchindown, now ruinous, lies three miles south from the church.

As to its antiquities and etymologie of its name, consult Boetius. It was one of the four ancient bishops sees in Scotland.

There are about fifteen hundred examinable persons. The King is, or at least is reputed to be, patron.

THE PARISH OF MORTLICH.<sup>2</sup> (A.D. M.DCC.LXXV.)

This parish, in ancient writings, is called *Morthlach*, probably from *Mor-Lag*, *id est*, a great hollow; for it is a deep hollow, surrounded with hills. Before I enter this parish, I shall a little describe the two rivulets that water it: *Fiddich*, *quasi Fiodhidh*, *id est*, woody, because its sides are covered with wood, hath its rise in the hills south of Mortlich towards Strathdon, and running north-east about three miles, turneth almost due west for a mile, and then, after a course of three miles due north, it falleth into Spey. The other rivulet, *Dulenan*, (properly *Tuilan*, from *tuil*, a flood, because of its impetuous current) takes its rise in the hills of Glenlivet, and running north-east parallel to Fiddich (but separated from it by a ridge of hills) three miles, it mixes with it three miles above Spey.

The parish is in length, from north to south, four miles, and as much in breadth from east to west, besides some skirts that lye near to *Botrifnie*, *Glas*, and *Cabrach*. It is all environed with hills, except a small opening to the north.

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>2</sup> [From Shaw's History of the Province of Moray, pp. 24—28, 324, 325.]

The church standeth on Dulenau, a little above the confluence with Fiddich, two miles south-south-east of Aberlaur, and about three miles south of Boharm.

The parish (all in the shire of Banff) consists of the barony of Kininvie, the lordship of Balvenie, and the barony of Auchindune.

The house of Kininvie stands upon the rivulet Fiddich, on the east side, environed with natural wood. A branch of the family of Lesly of Balquhain has enjoyed this barony about two hundred and fifty years; and of this branch the Earl of Leven is descended.

Next, up Fiddich-side and the west side of Dullen, are the lands of Balvenie, which comprehend Bochrarn, Little Tullich, Parkbeg, Clunimore, Clunie-beg, Pitvaich, Littoch, *etc.* Of the commissioners sent to London, on the nineteenth August, M.CCCC.XXIII., to relieve King James I., was James Douglas of Balvenie. (Rym. Foed., vol. x., p. 298.) And in M.CCCC.XLVI., John, son of James Earl of Douglas, was created Lord Balvenie; who, being forfeited in M.CCCC.LV., for joining in his brother's rebellion, King James II. granted Balvenie to his uterine brother, John Steuart, Earl of Athole. That family sold it to Aberneathie, Lord Salton, who, about M.DC.VI., disposed it to Lord Ochiltree. From him it came to Sir Robert Innes of Invermarkie, and from Sir Robert's heirs to Sutherland of Kinminity. About *anno* M.DC.LXVI., Alexander Lord Salton, reduced his father's disposition to Lord Ochiltree, and conveyed the lands in M.DC.LXX. to Arthur Forbes, brother to Blackton, from whom Alexander Duff of Braco adjudged them, and got possession about M.DC.LXXXVII., and they are now the property of the Earl of Fife. Upon an eminence, on the west bank of Fiddich, stood the castle of Balvenie, the ancient seat of the lordship, commanding a pleasant view of the valley; and a half mile below it, in a moist, low, and unwholesome soil, there is built a fine house of modern architecture, one of the seats of the Earl of Fife, adorned with gardens and planting.

In the south of the parish, betwixt the rivulets of Fiddich and Dullen, is the barony of Auchindune. This was formerly a part of the lordship of Deskford; and Auchindune and Forrest of Fiddich were a part of the barony of Ogilvie, erected in M.D.XXVII. (*penes Findlater.*) Afterwards it was purchased by, and is now the property of, the family of Gordon. The castle stood on a mount above the water of Fiddich; and from it Glenfiddich stretches south-west about three miles among the hills, where is fine pasture ground and a forest of red deer.

Upon the head of Dullen lieth Glenrinness, a fertile valley, two miles long. The south side of it is a part of the barony of Auchindune, and the north side a part of the lordship of Balvenie. Along the north side runneth Benrinnes, a high hill, and a landmark for sailors in sailing into the Moray Firth.

Before the year M.DCC.VI., Mortlach was in the diocese of Aberdeen.<sup>1</sup> The

<sup>1</sup> ["Since the year 1706, Mortlach has been, by an act of the general assembly, in the

church was dedicated to St. Bean, the first bishop of it. The King presented the present incumbent; but the Earl of Fife claims the patronage. The stipend is not modified, for the *ipsa corpora* of the small teinds are paid. But the stipend, including element money, amounts to about a thousand pounds Scots. The salary of the school is legal. William Duff of Dipple mortified five hundred merks to the school, and a thousand pounds Scots to the poor, and there are six hundred and seventy-five pounds Scots more mortified for the use of the poor. The catechisable persons are eighteen hundred, of which about sixty are Roman Catholics. The protestant ministers are: Mr. John Maxwell,<sup>1</sup> *anno* M.DC.XV.; Mr William Forbes, *anno* M.DC.XL.; Mr. Alexander Seton, *anno* M.DC.L.; Mr. Arthur Strachan, *anno* M.DC.LXXXVIII.; Mr. Hugh Innes,<sup>2</sup> ordained about M.DCC., died in March, M.DCC.XXXIII.; Mr. Walter Syme,<sup>3</sup> from Glass, admitted the twenty-second of April, M.DCC.XXXIV., died sixth January, M.DCC.LXIII.; Mr John Touch, from Aberlaure, admitted twenty-sixth of October, M.DCC.LXIII.

Before I proceed to the next parish I shall give some account of

*The family of Duff.*

The family of M'Duff, Earl of Fife, (descended, in my opinion, of King Duffus, who was murdered in Forres, about *anno* DCCCCLXV.) was ancient and eminent, and flourished until the year M.CCC.LXXXV. The surnames of Weem, McIntosh, Tosheach, Shaw, Spens, Fife, Duff, *etc.*, are branches of that great family. I have

presbytery of Strathbogie, and synod of Moray: before that time it was in the presbytery of Fordyce, and synod of Aberdeen; and, in connection with Fordyce, the minister of Mortlach, it is said, has still a vote for delegates, from that presbytery, to elect the professor of divinity of King's College of Aberdeen." (The Statistical Account of Scotland, vol. xvii. p. 414.)]

<sup>1</sup> [Afterwards successively Bishop of Ross in Scotland, Bishop of Killela and Achonry, and Archbishop of Tuam, in Ireland. He was found dead in his closet, kneeling on his knees, in the attitude of prayer, on the fourteenth of February, 1646.]

In the year 1558, the parsonage of Murthlac was held by the well-known John Leslie, afterwards Bishop of Ross.]

<sup>2</sup> ["This gentleman, it is said, was possessed of a considerable share of bodily strength and personal courage; and, in those days, if various anecdotes which are told of him be true, it seems he had occasion for the exercise of these qualities in the discharge of his clerical functions." (The Statistical Account of Scotland, vol. xvii. p. 432.)]

<sup>3</sup> [See above, p. 185, note <sup>3</sup>. "There was an uncommon mortality in this parish in the year 1763, occasioned by a putrid fever; and, during the rage of the disease, the frost was so very intense that it was necessary to kindle fires in the churchyard to soften the ground for digging the graves: in the month of January, Mr. Walter Sime, the minister, was one of thirteen corpses unburied at the same time." (The Statistical Account of Scotland, vol. xvii. pp. 437, 438.)]



before me a genealogical manuscript account lately written, deducing the Lord Braco from the family of Fife. It consists of three successive branches.

I. The Earls of Athole of the name *de Strathbolgie*, descended of the Earls of Fife, thus: (1) David, son of Duncan, the sixth earl. In a donation to the see of Moray by Malcolm, the seventh earl, 'David filius quondam Duncani comitis de Fife, frater meus,' *anno* M.CC.XXVI., is witness. Collatio Malcolmi comitis de Fyfe, episcopo Moraviensi, 'testibus Duncano et Davide fratribus meis.' 'Conventio inter Andream Episcopum Moraviensem et nobilem virum Davidem de Strathbolgie filium quondam Duncani comitis de Fyfe,' *anno* M.CC.XXXII. (*Cart. Moray*). He was father of (2) John de Strathbolgie, who became Earl of Athole in right of his wife Ada, co-heiress of Henry, Earl of Athole, and was father of (3) David, who married Isabel, co-heiress of Lord Chilam, and died M.CC.LXXXIV. His son (4) John, executed at London, M.CCC.VIII. His son (5) David, killed at Kilblain, *anno* M.CCC.XXXV., by his wife Joan, daughter of John the Red Cuming Lord Badenoch, had several sons, whereof the eldest (6) David, was forfeited for abetting the English interest, and died in England, *anno* M.CCC.LXXV., without male issue. This deduction of the Earls of Athole is instructed from the chartulary of Moray, and Sir William Dugdale.

II. branch, deduces the *Duffs* of *Muldavid* and *Craighead* thus: (1) John, second son of David the fifth Earl of Athole, quitted the name of de Strathbolgie and assumed that of Duff, and had the lands of Mukdavid and Craighead, *etc.* His son was (2) David, *etc.* The line was carried down by eleven generations to John Duff, writer<sup>1</sup> in Aberdeen, who died in Holland, *anno* M.DCC.XVII., without issue; and in him the direct line of Craghead became extinct. I confess all the descents are well instructed, except the first. But one will desiderate, How doth it appear that John, called the first of Craghead, was the second son of David, fifth Earl of Athole? or was at all his son? that ever he bore the name of Strathbolgie? that he assumed the name Duff? and for what reasons he did so? For all, or any of those, there is no voucher. Be it as it may, I pass on to

III. branch, the family of *Clunybeg* and *Braco*. The direct line of Craighead becoming extinct in John Duff, *anno* M.DCC.XVII., his grandfather John (who died about M.DC.LX.) was twice married. By his first wife, Isabel Allan, he had John, father of the foresaid John the writer. And by his second wife, daughter of John Gordon of Carnborraw, he had (1) Adam Duff of Clunybeg, who, by his wife, daughter of Gordon of Birkenburn, had Alexander of Keithmore, William, ancestor of Drummuir and Crombie, John, ancestor of Corsindae, Peter and Adam. Clunybeg died *anno* M.DC.LXXVII. (2) Alexander of Keithmore married Helen,

<sup>1</sup> [See List of Pollable Persons within the Shire of Aberdeen, 1696, vol. ii. p. 625; Maidment's *Analecta Scotica*, vol. ii. pp. 230—237. Edinb. 1838. 8vo.]

daughter of Alexander Grant of Ellachie, and had Alexander of Braco, William of Dipple, and Patrick of Craigston. (3) Alexander of Braco married Margaret, daughter of Sir William Gordon of Lesmore, baronet, and had (4) William, who, leaving no male issue, was succeeded by his uncle, (5) William of Dipple, heir male and of entail, who, by his wife, daughter of Sir George Gordon of Edin-glassie, has left a son, (6) William. This gentleman married Jean, eldest daughter of Sir James Grant of Grant, and hath a numerous issue. In M.DCC.XXXV., he was created Baron of Kilbryde, in the county of Cavan, in Ireland; and, by patent to him and to his heirs male, dated tenth of April, M.DCC.LIX., he was created Viscount MacDuff and Earl Fife of that kingdom.

William, second son of Clunybeg, was father of Alexander, who married Katherine Duff, eldest daughter and heiress of Adam Duff of Drummur, and by her had Robert of Drummur, John of Coulbin, and William of Muirton. Robert was father of Archibald, now of Drummur. William had a second son, James, father of William Duff of Crombie, advocate. Of Clunybeg's third son, John, is descended Duff of Corsindae. And of Keithmore's son, Patrick of Craigston, are descended Hatton, Kemnay, Craigston, *etc.*

Instrumentum publicum super electione et presentatione Johannis Gordoun in clericatum parochialis ecclesie de Mwrthlaycht per parochianos dicte parochie .<sup>1</sup> (A.D. 1550.)

IN DEI NOMINE AMEN per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno incarnationis Dominice / Mille-simo quingentesimo quadragesimo nono / mensis vero Marcij die vice-simo tercio Indictione septima pontificatus sanctissimi in Christo patris ac domini / Domini nostrj Paulj de cuius morte fama volat / diuina prouidencia pape tercij anno decimo quinto / In mej notarij publicj et testium subscriptorum presencia personaliter constitutj ac per suas moniciones et consensus ad infrascripta / litteras et per balliuos et officarios publicte monent et consentiunt nobilis et potens dominus Johannes comes Atholie ac dominus de Balwany / Alexander Ogyly de eodem / ac eciam honorabiles prouidj et honestj virj infrascripti omnes et singulj parochianj de Mwrthlaycht subscriptj saltem maior et sanior pars dicte parochie / vnanimiter conuenientes in prefata parochialj ecclesia de Mwrthlaycht / Valterus Lesley de Kyninwy / magister Georgius Gordoun de Baldorne /

<sup>1</sup> [From the original in the charter chest at Wardhouse.]

Alexander Gordoun de Brodlandis / Alexander Gordon in Clwnybeg / Johannes Gordoun in Clwnymoir / Vilhelmus Forbes in Keythtmoir / Georgius Caulder in Petglasse / Johannes Bailye capitaneus de Auchindown / Alexander Gordoun in Ballande / Robertus Gordon in Pettbeg / Georgius Lesley in Pettmoir / Wilhelmus Stewart in Madreclwny / Patricius Innes in Ladacht / Patricius Innes in Madirclwny / Johannes Roye / Donaldus More MacGillereacht / Johannes Cauder / Willelmus MacAgo / Robertus Irwing / Jacobus MacChandyt / Johannes MacFurter / Johannes MacAndrew / Alexander MacFaile / Ferquhardus MacLelan / Johannes MacWrm / Thomas Futtur / Duncanus MacKelleis MacCondoquhy Moir / Donaldus Bayne / Jacobus Stewart / Johannes Gordon in Auchestak / Daud Fynlaysoun / Thomas Stewart / Donaldus Rait / Andreas Strylay / Patricius Donalej / Willelmus Cauder in Madirclwny / Johannes Bayn / Fyndlayus MacConill Roye / Robertus Lagan / Johannes Irweing / Andreas MacGillecreist / Donaldus MacFaile / Daud MacPhaile / Willelmus MacKere / Willelmus Roger / Duncanus Brabinir / Daud Roye / Johannes MacPhaile / Johannes Moir MacPhaile / Willelmus MacPhale / Johannes Bayne / Hugo Caudere / Johannes Brabnar Garro / Patricius MacWilleam in Balwany / Johannes MacYntoishe ibidem / Andreas Gald officarius ibidem / Richardus Rattray / Richardus Gordoun ibidem / Johannes Ranald / Thomas Roye / Johannes MacWilliam / Thomas MacGillecreist / Thomas MacAuchell / Alexander Dueri / Willelmus MacThomas / Daud Nagyr / Johannes Crwshank / Johannes MacYnnes / Duncanus MacWilliam / Johannes MacThomas in Clwnymoir / Johannes Yong / Duncanus Brigis / Thomas Ross / Daud Crwshank / Daud Carnismyll / Thomas MacWilliam in Kiathmoir / Thomas Moir / Robertus Ross / Duncanus Broustir / Johannes Falconar / Donaldus Philp / Johannes Spaldin / Alanus Bayne / Donaldus MacBarnat / Thomas Tailyeour / Wilhelmus Piper / Alexander Croye / Donaldus Roye / Thomas MacYnnes / Thomas Gordoun / Johannes Sym / Duncanus Bo / Andreas Gaw / Thomas MacCallan / Jacobus Gald / Daud Brabnar / Jacobus Ross / Walterus Sym / Andreas MacYndow / Jacobus Gordoun in Tullochtcallie / Georgius Ogylvv ibidem / Thomas Brabiner / Fyndlayus MacRobie MwcCallum Dow / Willelmus MacAllan / Alexander MacWilliam in Ardwell / Alexander MacReachan / Johannes Tailyour / Donaldus MacWilliam / Alexander MacGow / Willelmus MacBlake / Johannes

Carta pro Daud de Gardyne .<sup>1</sup> (A.D. 1407.)

Robertus dux Albanie comes de Fyfe et de Mentethe . ac gubernator regnj Scocie . Omnibus probis hominibus tocius regnj predicti clericis et laicis . salutem / Sciatis quod concessimus dilecto nostro Daud de Gardyne . omnes terras de Kyninmonthe . Buchrommys . et mediam partem terrarum de Clune cum pertinenciis . jacentem infra vicecomitatum de Banf . que quidem terre cum pertinenciis fuerunt Willelmi de Dalyle militis . et quas idem Willelmus [*etc.*] mera et spontanea voluntate sua [*etc.*] nobis [*etc.*] simpliciter resignavit . Tenendas et habendas prenominate terras cum omnibus suis pertinenciis . dicto Daud et heredibus suis de domino nostro Rege et heredibus suis in feodo et hereditate perpetuum [*etc.*] . Faciendo inde annuatim domino nostro Regi et heredibus suis dictus Daud et heredes sui de dictis terris cum pertinenciis seruicia debita et consueta . In cuius rei testimonium presenti carte nostre sigillum officij nostri fecimus apponi . Testibus reuerendo in Xpo patre Gilberto episcopo Abirdonensi cancellario Scocie / Roberto Senescalli primogenito Murdaci Senescalli filij nostri et heredis / Willelmo de Ertht milite . Donaldto de Bute decano Dunblanensi . magistro Willelmo de Camera rectore ecclesie de Erole / Willelmo Lang canonico Abirdonensi : Johanne de Haya . Daud Berclay . et Andrea de Hawyke secretario nostro apud Perth vicesimo quinto die mensis Julij . Anno Dominj millesimo . cccc<sup>mo</sup> septimo . Et gubernacionis nostre anno secundo .

Anent the landis of Murthlak and Tumethe and office of bailyery of the samyn .<sup>2</sup> (19 January 1489.)

In the actioun and cause persewit be William bishop of Abirdene agane Alexander MacFersane / for the wrangwis occupatioun and manurin of the landis of Murthlak and Tumethe with the pertinens pertening to the bischoprik of Abirdene And vptakin of the malez thairof be the space of five yeris bigane extendin yerely to fifti pundis as wes allegiit And for the withalding of foure custume mertis yerely be the said space and for the

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, pp. 230, 231.]

In a roll of missing charters by King Robert III. is "Carta to John Dalzell, of the lands of Kinmonth, Bouchtanis, half lands of Clune, by resignation of Alexander Keith, in vicecomitatu de Banff." (Robertson's Index to the Charters, p. 138.)]

<sup>2</sup> [From the Acta Dominorum Auditorum, p. 121.]

wrangwis vsing and excercising of the office of bailyery of the saidis landis and rasing and vptakin of the vnlawis and proffitis thairof extending yerely to the valour of xx mertis And for the costis and scathtis sustenit be him thairthrow / The said Alexander MacFersane beand lauchfully and peremptorly summond oft tymes callit and nocht comperit / The said reuerend faider beand personally present his richtis ressonis allegationis and productione of witnes at lenth sene hard and vndirstandin / The lordis auditouris decrettis and deliueris that the said Alexander dois wrang in the occupatione and manurin of the saidis landis / and also in the vsing of the said office And tharfore ordanis him to decist and cese tharfra and to devoid and red the said landis in tyme tocum And assignis to the said reuerend faider the v day of Maij nixt tocum with continiatioune of dais to pref the avale of the malez and proffitis of the saidis landis and of the said mertis and tuiching his costis and scathtis And ordanis our Souerane Lordis lettrez be direct herapoun and that he haf lettrez to summond his witnes and the partij to here thaim sworne .

The Erle of Huntlies renunciatioun of the landis of Bocharme Botrichin Abbirloir Bochrome and Kynnynmond .<sup>1</sup> (A.D. 1509.)

Be it maide kend till all men be thir present letteris vs Alexander Erle of Huntlie Lord of Baidyenocht Jane Countes of Huntlie and Jhone Lord Gordoun our son and apperand air / to haue renuncit ourgevin dischargit and quhitclomit and be thir our letteris for vs [*etc.*] frelie renuncis [*etc.*] to our richt hartlie and weile belwit broder Jhone Maister of Athole and fear of the lordschip and landis off Balvany and certan baronriis within the samyn / that is to say Bocharme Botrichin Abbirloir Bochrome and Kynnynmond with the pertinence / to his airis and assigniis quhatsumeuir / all richt clame or titill of rycht petitorye or possessorye titill and entres had and to be had that we or ony of vs or our airis has had [*etc.*] to the saidis landis and baronriis [*etc.*] liand within the schirefdome of Banf and lordschip of Balvany foirsaid / that we or ony of us may clame [*etc.*] be ressoun of airschip rycht or entre to Jhone Erle now of Athoile or to wmquhille Magaret Dowglas his spouss And sall neuir be ws our airis [*etc.*] moif pley aganis the said Jhone or his airis [*etc.*] And that is specialie

<sup>1</sup> [From the original; in the possession of the Club.]

becauss we haue nor had nae rycht nor entre to persew nor follow the samyn And als moiffis our conscience that we war sa lang in doing of the samyn for the rumor of the cuntre and skaith of the parte And als we our airis [*etc.*] may lat inquiett trubbill [*etc.*] the said Jhone [*etc.*] becauss of singuler fauoris we beir on to the said Jhone Maister of Athole / And for tendernes alliance and blude being amangis ws and for certan wthir profitabill thankis [*etc.*] we the foirsaidis [*etc.*] bindis and oblis is ws [*etc.*] to content and thankfully pay the sowme of twelff thousand pundis usuale money of the realme gold and siluer to be payit as followis / that is to say / four thousande pundis to the cathedraile kirkis of Aberdene and Mur-raye ewinlye to be dividit / four thousande pundis to the Kingis grace / and four thousande pundis to the said Jhone Maister of Athole [*etc.*] for costis skaithis dampnage interest and expensiss [*etc.*] And geve the said Jhone Maister of Athoile or his airis quhatsumeuir desiris ony mair securite efter-wartts of the premissis or thinkis the band nocht sa seuerlie maid as neid war we the saidis Alexander [*etc.*] bindis and oblis is ws [*etc.*] lelely and treuly and wnder the paines aboune written to renewe this band in the sikirast forme and stile that can be devisit be the said Jhone Maister of Athole [*etc.*] . In vitnes of the qubilk thing we the said Alexander Erle of Huntlie has appendit to our propir seile of armis to this present writt and has subscriwit the samyn witht our hand And the saidis Jane and Jhone has elikwiss witht thair handis subscriwit the samyn And for the mair securite of the premisses has suorne to keip and obserwe the poynttis aboun writtin / the Haly Ewangelis tuichit / lelely and treuly and neur to cum in the contrar of the samyn under the painis aboune writtin . At Inuernys the twenty four day of Julii the yeir of God ane thousand fywe hundreth and nyn yeris before thir witnes / ane reuerend fader in God Andro be the mercy of the samyn Bischop of Caithnes and commendatour of Ferme in Ross / ane nobile and mychty lord Willeame Erle of Caithnes / Jhone Lord Fresalle / Sir Alexander Seitoun of Tulybody / Sir Willeame Scot of Balvery knyghtis . Maister Jhone Spence channon of Murray / Alexander Leslie / Henre Steuart / Willeame Steuart / Sir John Dinguell / and Maister Jhone Steuart notaris / with wther diuerss .

Alex<sup>r</sup> Erle of Huntle .

Jane Countes of Huntle .

Johne Lord Gordoun .

Preceptum Johannis Gordone de Ogiluy et Fynlater pro saisina terrarum  
de Auchnastank magistro Georgio Gordone de Beldorny danda .<sup>1</sup>  
(A.D. 1560.)

Johannes Gordone dominus feodatarius de Ogiluy et Fynlater dilectis meis  
Alexandro Duff . . . . balliuis meis in hac parte [*etc.*] . Quia  
dedi [*etc.*] honorabili viro et dilecto meo consanguineo magistro Georgio  
Gordone de Baldurny et Jonete Ross eius sponse [*etc.*] omnes et singulas  
meas duas partes terrarum mearum de Auchnastank vocatas duas tertias  
partes earundem cum restricta multura cum earum pendiculis et pertinentiis /  
jacentes infra vicecomitatum de Banff / prout carta mea eis desuper confecta  
plenius continetur . Vobis igitur [*etc.*] precipio [*etc.*] quatinus [*etc.*] statum  
sasinarum [*etc.*] prefatis magistro Georgio Gordone et Jonete Ross [*etc.*]  
tradetis [*etc.*] . In cuius rei testimonium huic precepto meo sasine mea sub-  
scriptione manuali subscripto sigillum meum est appensum / apud Fynlater  
vigesimo die mensis Septembris anno Domini millesimo quingentesimo sexa-  
gesimo / Coram his testibus magistro Johanne Duff Andrea Duff Johanne  
Gordon filio Jacobi Gordon de Blelek Archibaldo Guthre et magistro  
Willelmo Lawty notario publico cum diuersis aliis .

Johne Gordone of Findlatter .

## THE PARISH OF BELLIE (OR FOCHABERS.)

A DESCRIPTION OF THE PARISH OF BELLIE.<sup>2</sup> (*circa* A.D. M.DCC.XXVI.)



BELLIE is dedicated to Saint Peter.

Here is Saint Ninian's chapel, rebuilt about thirty years ago  
by . . . . . Dutchess of Gordon, quhairin the late Bishop  
Nicolson<sup>3</sup> lyes buried.

<sup>1</sup> [From the original, in the possession of the Club.]

<sup>2</sup> [From a MS. Account of Scottish Bishops, in the library at  
Slaines.]

<sup>3</sup> ["Notes concerning the Roman Catholick Bishops that have been in Scotland since  
the reformation." (From a MS. Account of Scottish Bishops in the library  
at Slaines.)

"(1.) Mr. Winchester (commonly called Mr. Dunbar) who usually resided with the Duke  
of Gordon.

THE PARISH OF BELLIE.<sup>1</sup> (A.D. M.DCC.LXXV.)

This parish in Irish is called *Bealidh, id est, Broom*.<sup>2</sup> It is situated on the east bank of the river Spey, at the mouth of it.

The church,<sup>3</sup> dedicated to St. Peter, standeth near the bank of the river, two miles above the frith. The patronage did belong to the Prior of Urquhart; and with the lordship of Urquhart came to the Earl of Dunfermline. It now belongs to the Duke of Gordon, by the purchase of Urquhart. The stipend, by decret, is twelve hundred merks, and one hundred merks for communion elements. The school is legal. Mortifications for the poor are six hundred and fifty pounds Scots: catechisable persons, sixteen hundred. On the grave-stone of Mr. William Sanders is inscribed, that, 'he lived an hundred and eight years, and was minister of Bellie seventy-seven years'. The ministers since the reformation are: Mr. William Sanders minister before M.DC., demitted in M.DC.LXIII.: James Horn, assistant, ordained on the twenty-eighth February M.DC.LVI., transported to Elgin, M.DC.LIX.: William Annand, assistant, ordained on the nineteenth May,

"(2.) Dr. Robert Nicholson, brother to Sir George Nicholson of Kemney (a lord of session) and son to Thomas Nicholson, Burgess of Aberdeen, by . . . daughter to Birkenbog, where the bishop was born. He had formerly been a professor of philosophy in Glasgow. He resided (after he became a bishop) at Presholm in Rathven parish, near Gordon Castle, and dyed under Clem[ent XI.]

"(3.) Dr. John Wallace (formerly an episcopal minister, and chaplain to John Earle of Perth, who was afterwards created Duke of Perth.)

"(4.) Dr. James Gordon (son to Clystirim, and himself heir) who resides at Clystirim in Rathven, and having gone A.D. M.DCC.XXIII. to confirm in the highlands and isles, returned about Christmass, the same year, having confirmed, it is said, about three thousand. It is talked, that such as have been confirmed, are troubled with the *second sight* no more."]

<sup>1</sup> [From Shaw's History of the Province of Moray, pp. 11, 325.]

<sup>2</sup> ["Bellie has been imagined by some to be the Gaelic word *Bellaidh*, signifying 'broom'; but others, more justly, reckon it a compound from the two Gaelic words *Beul-aith*, meaning 'the mouth of the ford.' This etymology is perfectly natural, as, a little above the church, there was, till the prodigious flood in the year 1768 destroyed it, and opened various channels, one of the finest fords upon Spey. There the Duke of Cumberland, with his Majesty's army, passed with great safety in the year 1746, a few days before the battle of Culloden." (The Statistical Account of Scotland, vol. xiv. p. 263. Edinb. 1795.)]

<sup>3</sup> ["About a mile north of Gordon Castle, and three miles south of the frith, is the church of Bellie, upon the old east bank of the Spey, soon to be translated to Fochabers, where a very commodious and elegant church is to be built." (*Id.*, p. 265.)]



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M.DC.LXIII., lived after the revolution: Charles Primrose, ordained on the twenty-fifth of February M.DCC.II., transported to Forres, M.DCC.VIII.; Thomas MacCulloch, from Birnie, admitted on the fourth of May M.DCC.IX., died on the twenty-sixth of November M.DCC.L.: Patrick Gordon, from Rynie, admitted on the third of October M.DCC.LI., died at London, February, M.DCC.LXIX.: James Gordon, admitted on the fourteenth of March, M.DCC.LXX.

The great ornament of this parish is the house of Gordon Castle, the seat of the Duke of Gordon. This house was founded by George Earl of Huntly, who died A.D. M.D.VII. It is a large and grand pile; but consisting of several apartments built at different times, it cannot be very regular. The rooms of state are grand, well finished, and furnished with fine pictures; and the library containeth a valuable collection of books. The house is environed with parks and inclosures, and much planting, old and young. The gardens are spacious, well laid out, and watered with a pond and *jet d'eau*. But the house, by its low situation betwixt the river to the west, and a high hill to the east, commandeth no view of the adjacent country. It was formerly called, The Bog of Gight,<sup>1</sup> in Irish *Bog na gaoith, id est, The Windy Bog*.

Closs by the castle standeth the village of Fochaber, so called, in my opinion, from the Irish *Fo-habir, id est, below the well*; <sup>2</sup> for, above it, in the face of the hill, is a well or fountain, the waters whereof serve the town. The town is a burgh of barony, hath a weekly market, and in the centre of it there is a court house, with a steeple of modern architecture. It has a post office, and at the west of it, is the passage over Spey, called The Boat of Bog, upon the post road.

As little more of this parish than the town of Fochaber falleth within the province of Moray,<sup>3</sup> I shall not dwell any longer on the description of it. In some

<sup>1</sup> ["This habitation was long known all over the north by the name of The Bog, for an obvious reason. Spalding, if I remember right, seldom uses any other term for it. The castle had doubtless been built here with a view to strength by ditches and inundation." (The Statistical Account of Scotland, vol. xiv. p. 265.)]

<sup>2</sup> ["Fochabers is compounded of the two Gaelic words, *foich*, a green plain, and *aber*, a bay or junction of two waters; the burn of Fochabers here uniting itself with the Spey. Some years ago, Fochabers was removed southward, from the vicinity of Gordon Castle, to a rising ground, near a mile distant, and built on a neat plan, with an extensive square in the centre." (*Id.*)]

<sup>3</sup> ["Fochabers is in the county of Murray, and the other, or country part of the parish, is in Banffshire." (*Id.* p. 263.)]

The boundaries of the earldom of Murray are thus described in the famous charter by which King Robert I. (between the years 1307 and 1324) conferred that great territorial dignity on Sir Thomas Ranulph: "Incipiendo videlicet ad aquam de Spee sicut cadit in mare . et sic ascendendo per eandem aquam . includendo terras de Fouchabre .

parishes (as in this) I shall meet with families of eminence and distinction, of which I shall only give a succinct account, as a full historical or genealogical deduction would too much swell this work.

*The Family of Gordon.*

This is one of the most illustrious families in the kingdom, for quality, antiquity, possessions, and people. There are besides the Duke, three peers of this name, *videlicet*, The Earls of Aberdeen, and Aboyne, and the Viscount of Kenmure, with a numerous and opulent gentry. I leave others to fetch the Gordons from Gordinia in Thessaly, or to derive them from Caesar's Gorduni. I shall only observe, that Adam de Gordon (1) (so he is commonly called), ancestor of this family, for his services to Malcolm Kenmore, obtained from him the lands of Gordon in The Merse. The Chartulary of Kelso, and the Ragman's Roll, give some account of Richard (2), probably son of the said Adam, (3) Thomas *senior*, (4) Thomas *junior*, (5) Alicia and her husband Adam Gordon, father of (6) Sir Adam Gordon, whose eminent services to King Robert Bruce were rewarded with a grant of the lordship of Strathbogie, forfeited by David de Strathbogie lord thereof. And though this lord was, in King David Bruce's reign, restored to his own lands, yet, afterwards revolting to the English, he was again forfeited, and the grant of the lordship was confirmed by King Robert II., *anno* M.CCC.LXXVI., to the grandson of Sir Adam Gordon, *videlicet*, (7. 8.) John, son of Sir Alexander (*penes Ducem Gordonias.*) To this John, King David Bruce had given the Forrest of The Enzie and Boyne. John was killed in the battle of Otterburn, *anno* M.CCC.LXXXVIII. And his son, (9) Sir Adam, was killed in the battle of Hamildun, *anno* M.CCCC.I., leaving no issue but a daughter and heiress called (10) Elizabeth. This lady married Alexander Seaton, second son of Sir William Seaton of Winton, which occasioned the distinction of the Seaton Gordons, and the ancient Gordons; for

Rothernayk · Rothays · et Bocharme · per suas rectas metas et divisas cum suis pertinentijs · et sic ascendendo per dictam aquam de Spee usque ad marchias de Badenach · et sic includendo omnes terras de Badenach et Kyncardyn et de Glencarni cum pertinentijs per suas rectas metas et divisas · et sic sequendo marchiam de Badenach usque marchiam de Louchabre · et sic includendo terras de Louchabre · de Maymer · del Logharkech · de Glengarech · et de Glenelg cum pertinentijs per suas rectas metas et divisas · et sic sequendo marchiam de Glenelg usque ad mare versus occidentem · et sic per mare usque ad marchias borealis Ergadie que est Comitatus de Ros · et sic per marchias illas usque ad marchias Rossie · et sic per marchias Rossie quousque perveniatur ad aquam de Forne · et sic per aquam de Forne quousque perveniatur ad mare orientale." (Registrum Episcopatus Moraviensis, pp. 342—344; Robertson's Index to the Charters, pp. xlix—li; Shaw's History of the Province of Moray, pp. 383—386.)]

she had two uncles, commonly called, Jock of Scurdarg, and Tom of Ruthven, and who (says Straloch) bore the paternal arms, without any mark of illegitimacy; and of those the ancient Gordons are descended.

Elizabeth's son (11) Alexander, assumed the name of Gordon, and was created Earl of Huntly, *anno* M.CCCC.XLIX. He did the most significant service to King James II. by defeating the Earl of Crawford in the battle of Brechin, on the eighteenth of May, M.CCCC.LII., and thereby breaking the confederacy against that King. This was fully rewarded by a grant of the lordship of Brechin, the hereditary sheriffship of Aberdeen, and Crawford's precedence in parliament. Yet, upon the King's reconciliation to Crawford, Huntly generously resigned Brechin in his favours, and got the lordship of Badenoch, and the lands of Brae-Lochaber. His great estate was increased, by marrying the only child of Sir William Keith, and grand-daughter of Sir Alexander Fraser, thane of Cowie, with whom he got the lands of Touch-Fraser, Aboyne, Glentanir, Glenmuik, and Clunie. And, by his second wife, Aegidia Hay, heiress of Bog of Gight, and a part of Enzie, he obtained these lands. In a confirmation of his lands by King James II., *anno* M.CCCC.LVII., the onerous cause (says Burnet of Crimond) was, *for keeping the crown on our head*: but this charter is now lost. Dying *anno* M.CCCC.LXXIX, his son (12) George was lord chancellor, founded Gordon Castle,<sup>1</sup> erected the Priory of Kingussie, and left three sons, *videlicet*, Alexander; Adam, who married the heiress of Sutherland; and William of Gight. (13) Alexander was made hereditary sheriff of the county, and constable of the castle, of Inverness: and, by a charter, dated the twenty-fourth March, M.D.V., got the castle of Inverlochie, in Lochaber, and the adjacent lands (*carta in publicis archivis*); and, dying M.D.XXIII., was succeeded by his grandson, son of John, who died M.D.XVII., *videlicet*, George, a man of unbounded ambition. He was lord chancellor, and on the thirteenth of February, M.D.XLVIII., got a charter of the earldom of Moray, the lordships of Abernethie, Petty, Brachlie, and Strathern, the castles of Tarnua, Abernethie, and Hallhill, the fishing of Spey, Lossy, and Findhorn. He had likewise the administration of the earldoms of Marr and Orkney, the lordship of Shetland, and bailiery of Strathdee. In the Queen

<sup>1</sup> ["This Earle George did build the house of The Boig of Geigh, hard vpoun the river of Spey, and finished the house of Strathbogie verie statelie and sumptuouslie, which his father Earle Alexander had begun. He erected also the church of Kingussie, in Badenoch, and Sanct Peter his chappell, at Elgyn of Murray." (Sir Robert Gordon's Genealogical History of the Earldom of Sutherland, p. 82.) In the charter room at Floors Castle there is a charter by George Earl of Huntly, dated "apud le Geych", on the twenty fourth of May 1481, confirming a charter granted by James Innes of That Ilk to William Meldrum of Fyvie, of the lands of Bogmothill in the lordship of Boyne, and the shire of Banff.]

Regent's tour to the north, he entertained her so sumptuously, that (says Straloch) Monsieur D'Osel advised her to humble him: and, in M.D.LIV., he was divested of his said acquisitions, and rebelling against Queen Mary, lost his life in the battle of Corrichee, *anno* M.D.LXII. Brevity only allows me to mention his son (15) George; whose son (16) George, caused murder the Earl of Moray in Dunibrisle, *anno* M.D.XCII., fought the battle of Glenlivet, M.D.XCIV., was created Marquis on the seventeenth of April M.D.XCIX., and died M.DC.XXXVI. His son (17) George was beheaded in M.DC.XLIX.; whose son (18) Lewis died M.DC.LIII., and was father of (19) Duke George.

In M.DCL., the family of Huntly was addebted to Argyle, a million of merks Scots; and the judicial rent of Huntly's estate was fifty thousand merks, whereof ten thousand annually were allowed to the Marchioness dowager and the Earl of Aboyne (*vide Argyle's Tryal.*) And Lord Lorn lived in Gordon Castle from M.DC.LIII. to the first of February M.DC.LXI. The family of Huntly was saved from being sunk under this debt by Argyle's forfeiture in M.DC.LXI., when the King remitted the whole of it. George was created Duke of Gordon on the first of November M.DC.LXXXIV. His son (20) Alexander. His son (21) Cosmo-George. And his son (22) Alexander is now Duke. And thus the noble family has flourished during two and twenty generations.

Carta Regis David facta monachis de Vrchard .<sup>1</sup> (A.D. 1150—A.D. 1153.)

Dauid Rex Scottorum . episcopis . abbatibus . baronibus . iusticiariis . vicecomitibus . et omnibus hominibus tocius terre sue . Francis . Anglicis . et Scottis . Salutem . Sciant tam posterì quam presentes me ad domus Dei dilatacionem et ad sancte religionis propagationem dedisse . et concessisse . Deo et ecclesie Sancte Trinitatis de Vrchard . et hac mea carta priori et fratribus ibidem seruientibus confirmasse Vrchard per suas rectas diuisas . et duas Finfans per suas rectas diuisas . et Fochoper per suas

<sup>1</sup> [From the Registrum de Dunfermelyn, pp. 17, 18; collated with a copy in the Registrum Episcopatus Moraviensis, pp. 329, 330.]

By a charter dated at Roxburgh on the fourth of March 1238, King Alexander II. granted to the see of Murray the land of Keldrumin in the bailiary of Inuernarin, together with an annuity of forty merks from the lands of Moythas, Dike, and Brothyn, in exchange for the second tithes (or the tithes which the Bishop used to levy of the King's rents) of the lands of Fochobyr, Rathenec, and many others. (Registrum Episcopatus Moraviensis, pp. 34, 35.)

Among the charters delivered up to King Edward I. of England, in the year 1296, were "Carta de Fochober pro terra de Wynn;" "Excambium factum per Priorem de Urchard de terra de Fochober pro terra de Bynin." (Robertson's Index to the Charters, p. xxiv.)]

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rectas diuisas . et communionem pascuum animalibus . et vnam piscariam in Spe . et in firma burgi de Elgin . xx . solidos . et de dominiis hominibus eorum qui sunt in Fochoper rectitudinem piscis que ad thain pertinet . et decimam cani de Ergaithel de Muref . et placitorum et tocius lucri eiusdem Ergaithel . Preterea concedo et hac mea carta confirmo donacionem abbatis et tocius conuentus de Dunfermelyn . scilicet . Pethenach iuxta Eren per suas rectas diuisas . et scalingas de Fathenechten . et omnes rectitudines quas monachi de Dunfermelyn in Muref habere solebant quas tali condicione ecclesie de Vrchard et fratribus ibidem Deo seruientibus liberas et quietas ab omni exaccione mea concessione et confirmacione concedunt . ut obeunte persona / alia de eleccione fratrum et de consilio abbatis de Dunfermelyn et assensu Regis si ydoneus ibidem inueniatur subrogetur . sin autem de ecclesia de Dunfermelyn accipiatur . Hec personarum subrogacio inuiolabiliter in perpetuum inter eos sicut predictum est conseruetur . Volo eciam et precipio quod ecclesia predicta et prior et fratres eiusdem loci habeant et teneant res predictas ita libere et quiete sicut aliqua ecclesia in terra mea habet et tenet quicuius et liberius . Teste . Andrea episcopo . et multis aliis .

. . Carta Johannis de Haya .<sup>1</sup> (A.D. 1362.)

Dauid Dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem . Sciatis quod concessimus Johanni de Haya de Tolyboylle dilecto et fideli nostro quod possit redigere in culturam totam terram que iacet inter aquam de Spee et riulum de Tynot in Foresta del Awne et ipsam terram habere cum omnibus libertatibus *etc* . quibus quondam progenitor noster / de eadem terra predecessores ipsius Johannis infeodauit . In cuius rei testimonium *etc* . Testibus *etc* . Apud Abirdene . xvj<sup>o</sup> . die Januarij anno regnj nostrj Tricesimo Tercio . .

Fundatio capellanie de le Geth per Johannem le Haya patrem .<sup>2</sup> (circa A.D. 1374.)

Omnibus hoc scriptum visuris vel audituris Johannes de Haya dominus de Tulybothuyl salutem in Domino sempiternam . Noveritis me ductum devotione . cum consensu Johannis de Haya filii mei et heredis . fundasse

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 24.]

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, pp. 321, 322.]

unum capellanum apud le Geth in honorem Dei et Beate Marie Virginis ac Omnium Sanctorum . pro anima mea . animabus progenitorum et successorum meorum . et pro animabus omnium fidelium defunctorum . ibidem divina perpetuo celebraturum et in eodem loco continuam residentiam facturum . hac mea fundatione ecclesie matrici prejudicante nullatenus quove modo . Qui quidem capellanus in dicta capella de le Geth decenter deserviet . et quatuor libras usualis monete de firmis terre de Awyn annuatim percipiet ad Festa Pentecostes et Sancti Martini in hyeme per equales portiones . cum mansione sua . et quatuor acris terre apud Laddardach sibi nunc assignatis . ac pastura ibidem pro duodecim vaccis cum tauro ac sexaginta ovibus cum nutrimentis ex eis provenientihus videlicet vitulis et agnis pro quatuor annis de anno in annum in eadem pastura sustentandis . et duobus equis . quorum unus hakneius capellani in prato cum equis meis propriis pasturam habeat specialem . Et fiet hec solutio annua firme predictae per me et heredes meos seu quoscunque alios nobis successuros sive ballivos seu quoscunque dictarum firmarum receptores quos ad hoc volo firmiter obligari . Et si contingat . quod absit . me vel heredes meos seu quoscunque nobis successuros contra hanc nostram fundationem in aliquo venire vel eidem contradicere aut super eam litem movere obligo me et eos in viginti libris [sterlingorum] fabrice ecclesie cathedralis de Elgyn nomine pene solvendis ante omnem litis ingressum . presenti fundatione mea in suo robore perhenniter duratura . Et volo quod totiens dicta pena committatur et levetur quotiens presenti fundationi mee fuerit contradictum cum effectu . subiciens etiam me et heredes meos et nobis successuros jurisdictioni domini Episcopi Moraviensis qui pro tempore fuerit et ejus vices gerentis et capituli sui sede vacante ut liceat eis vel eorum cuilibet me heredes meos et nobis successuros ac dictarum terrarum firmarios [sive ballivos] ad omnia premissa et quodlibet premissorum inviolabiliter observanda per omnimodam censuram ecclesiasticam [arcius cohercere . renuncians in] hoc facto pro me et heredibus meis et nobis successuris exceptioni lesionis . deceptionis . doli vel fraudis et omni alii exceptioni juris vel facti canonici vel civilis per quam contra premissa vel aliquid premissorum possumus nos quomodolibet defendere vel tueri . In cujus rei testimonium sigillum meum . . . . .

IN THE PRESBYTERY OF ABERLOUR.<sup>1</sup>

## THE PARISH OF BOCHARM (OR ARTENDOL) WITH PART OF DUNDURCAS.

BOHARM PARISH.<sup>2</sup> (A.D. M.DCC.LXXV.)

HE parish of Boharm, antiently and truly written, *Bocharn* ; for over against the plains of Rothes, and on the east bank of the river, is a high hill called *Ben-eggin, id est*, the hill with clefts ; and round a great part of the hill this parish windeth : hence called *Bocharn, id est*, a bow or arch about the cairn or hill.<sup>3</sup> It is in length about four miles, and in few places above half a mile in breadth, lying on the east side of a brook that runneth into the water of Fiddich.

The church standeth on the south side of the hill, two miles west of Botrifnie, two miles north-east of Aberlaure, two miles and a half south-east of Rothes, and

<sup>1</sup> ["The number of presbyterian ministers in the diocese of Moray was so small, that they made but one presbytery, called 'The Presbytery of Moray,' till the year 1702. Before this year they had no meeting of synod ; but in March, 1702, the commission of the assembly recommended to them to meet in synod. In pursuance of which, in a meeting at Forres, on the twenty-third of June, 1702, they erected themselves into three presbyteries, *videlicet*, The united presbytery of Inverness and Forres ; The united presbytery of Elgin, Aberlaure, and Abernethie ; and The presbytery of Strathboggie. In October, the same year, they met in synod for the first time. The number of ministers soon increasing, by the demise of the episcopal incumbents, Aberlaure and Abernethie were disjoined from Elgin *anno* 1707, and made a distinct presbytery. In 1708, Inverness and Forres became two presbyteries ; and in 1709, Aberlaure and Abernethie were disjoined, and made two presbyteries." (Shaw's History of the Province of Moray, pp. 303, 304.)]

<sup>2</sup> [From Shaw's History of the Province of Moray, pp. 23, 24, 328, 329.]

<sup>3</sup> ["As this description is only partially applicable, the old parish containing only one-half of the bow, one is inclined to seek another derivation, and to suppose that the Castle of Bucharm took its name from its own situation, and bestowed it on the parish. It stood on the point where the brook Altarn, now Aldernie, *id est*, the burn of alders, flows into the Fiddich, which just at that point takes a very singular turn in its course. Hence, perhaps, Bucharn, or the head of the alder stream, for the name of the castle, and so from the castle to the parish." (The New Statistical Account of Scotland, number xxxviii., p. 356. Edinb. 1842.)]

about three miles north of Mortlich. Boharm was a parsonage, whereof the Earl Fife is patron. Ardentullie (called antiently Artendol) was the original parish;<sup>1</sup> and Boharm, (properly *Bocharn*) was only the chapel of Moray, laird of Boharm. At Galival are the vestiges of a domestic chapel; and probably there was a chapel of ease where the church now stands. There is a glebe at Ardentullie, and another at Boharm. The stipend is thirty-two bolls meal, and six hundred merks, with twenty merks for communion elements. The school salary is not legal: the catechisable persons, six hundred. The protestant ministers are Mr. William Rothie, reader in Ardentullie, M.D.LXIX.; George Frazer, minister before, M.DC.XXIV., died about M.DC.XXVIII.; Alexander Anderson, ordained about M.DC.XXIX., transported in M.DC.XXXIII.; Thomas Law, ordained in M.DC.XXXIV., transported to Elgin in M.DC.XLV.; George Dunbar, ordained in M.DC.XLVII., died in M.DC.L.; William Harper, ordained in M.DC.LV., died in M.DC.LXXXV.; Adam Harper, ordained in M.DC.LXXXVI., demitted in M.DCC.XVI.; George Gordon, ordained on the thirteenth of May, M.DCC.XVII., transported to Alves in M.DCC.XXVIII.; John Gilchrist, ordained in M.DCC.XXIX., transported to Urquhart in M.DCC.XXXIV.; George Grant, ordained in M.DCC.XXXIV., transported to Rathven in M.DCC.LII.; Thomas Johnston, from Glenbucket, admitted on the thirty-first of May, M.DCC.LIII.

This parish (all in the county of Banff) was, in the reign of King William the Lion, about *anno* M.CC.X., the property of William Moray, son of William, and

<sup>1</sup> ["The church of the parish of Arndilly, in early times called Artendol, stood on the eminence which is now the site of the mansion-house of Arndilly, on the banks of the Spey, in the south-west corner of the present parish. Vestiges of such ecclesiastical occupation of this lovely spot remained till within the memory of man, the ruins of the church being cleared away to make room for part of the offices of the mansion-house, and an equivalent being then given for the glebe, which now forms part of the lawn. It is conjectured that the church at Arndilly having been allowed to go to ruin, perhaps even before the reformation, the chapel of the Castle of Bucharm, in a much more convenient situation, became the place of worship for the whole district, and gave name to the parish. In the year 1788, the parish of Dundurcos, lying due north from Boharm, on both sides of the Spey, was suppressed, and the part of it which lay to the east of the river was annexed to Boharm, except one small property, Aikenway, which, with the lands on the west side of the river, was annexed to Rothes. This annexation added to Boharm upwards of a third, both in extent of surface, and in the number of the population. The old parish is in the county of Banff: the annexation, excepting a small fragment in Banffshire, is in the county of Elgin. A stone, which was in the wall of the old church at Arndilly, is now built into the wall of one of the wings of the mansion-house. It has rude figures carved on it. Another stone, having very nearly the same figures upon it, was taken out of the foundation of the old church of Inveravon; and a third is built into the wall of the Abbey of Deer." (The New Statistical Account of Scotland, number xxxviii., pp. 355, 356, 364.) See also The Statistical Account of Scotland, vol. xvii., p. 364. Edin. 1796.]



grandson of Freskyn Moray of Duffus. He is designed dominus de Petty, Brachlie, Bocharin, etc. (*Cartularium Moraviense*.) And from his son Walter, descended Sir Andrew Moray, lord Bothwell. "Willelmus filius Willelmi Freskin," had his castle and seat in Boharm, probably at Galival, where some vestiges do still remain.<sup>1</sup>

<sup>1</sup> ["The ruin of the Castle of Gallval is the only remain of antiquity in the parish. It was built fronting the east, on the north side of the valley, towards the western end, where the declivity hath fallen more gently into an inclined plain, and shot a promontory into the deep defile formed by the course of the stream of Aldermy; snugly sheltered from the northern blast, with an enlivening extent of arable field rising behind; on either side a luxuriant landscape spread westward on the winding banks of the Fiddich. It appears to have been a simple structure, of an hundred and nineteen feet by twenty-four feet within, divided by an internal wall, so as to form two halls on the ground floor; one sixty-five, and the other fifty-four feet in length. The windows were only twenty inches wide, though the walls were eight feet thick. The front and corners were neatly finished with free-stone. The front and gables are now entirely broken down; but, within these fifty years, they stood to the height of several stories. This bulky fabric, on the eastern front, had lower external accommodations. A domestic chapel stood in its own consecrated burying ground (forsaken only in the course of the last sixty years), about fifty yards from the north end of the castle; and, though only twenty-four feet by twelve feet within, must have been the parent of the present parish church, which was erected in the year 1618." (The Statistical Account of Scotland, vol. xvii., pp. 363, 364.) "The Castle of Bucharm, now Galval, is an interesting remain, situated on a fine eminence between the brook Aldernie and the Fiddich, having the vale of Balveny stretching out in front; the vale of Boharm to the east; the lower part of the valley of the Fiddich to the west; and a great extent of well cultivated fields and beautiful woodlands all around. Little of the building is now standing. Under a stone in the floor of the oratory of the castle, a silver ring was lately found, having a small shield fixed upon it, which exhibited two martial figures: this is now at Arndilly." (The New Statistical Account of Scotland, number xxxviii., pp. 364, 365.)

"The rivulet Aldernie above mentioned, conveys to the Fiddich the waters of the upper part of the parish; while those of the lower part, uniting where the eastern valley meets with the circular valley, form the Orchill, now called The Burn of Mulben, which thence descending very rapidly to the Spey, which it joins at the place called Boat of Bridge, has cut a very romantic channel for itself in the rocks through which it passes." (The New Statistical Account of Scotland, number xxxviii., p. 359.) "The Chartulary of Moray has preserved the memorial of the bridge over Spey at The Boat of Brigg. Part of the foundation of the southern pier still remains. It has been supposed that the bridge was of timber." (The Statistical Account of Scotland, vol. xvii., p. 359.) "Both record and tradition inform us, that, in early times, there was a bridge over the Spey, near the influx of the Orchil. It appears to have been chiefly of wood. Where tradition says it crossed the river, the water is very deep close to the rock on the east side, which served for one of the abutments; but this great depth extends but a little way out from the rock, and then the stream shallows to the western bank. Hence one long stretch, not beyond the powers of the largest timber of the country, would suffice for getting over the deeper water; and

At this time, the freeholds are :

Arntullie, the seat of Alexander Grant, of which he purchased the freehold from Sir Ludowick Grant, *anno* M.DCC.LVII. His father, Thomas of Achoinany and Arntullie, died M.DCC.LVIII., and was son of Walter, son of John of Arntullie, second son of Archibald the first of Bellintom. It is pleasantly situated at the foot of Ben-eggin, on the bank of Spey, and capable of great improvement, by inclosing and planting. This gentleman is likewise proprietor of Galival and of Newton, which lately pertained to a gentleman of the name of Anderson.

To the east of the church are the lands of Achmadies, the property of Sir James Grant.

And thence northward is the barony of Achluncart, which, for several generations, pertained to a branch of the house of Innes, and by an heiress came to a son of Stewart of Tanachie.

This parish is well accommodated with moss ground for fuel, and generally is a rich and fertile soil, very early in ripening about Arntullie, but cold and late on the south-east side of the hill.

Carta Willelmi de Moravia de ecclesia de Artendol .<sup>1</sup> (A.D. 1203—A.D. 1224.)

Universis sancte matris ecclesie filijs literas istas visuris vel audituris .  
Willelmus filius Willelmi Freskyny salutem . Noverit universitas vestra  
me dedisse . concessisse . et hac carta mea confirmasse Deo et ecclesie

then the progress westward would be comparatively easy by means of supports from the bottom; and such, according to tradition, was the nature of the structure. Not a vestige of its ruins has been visible for many years. A ferry boat was substituted for it, and the passage of the river came to be called by the anomalous name of The Boat of Bridge, while the farms in the neighbourhood still retained their former appellations of Bridgetown of Spey and Upper Briglands. The boat has now, in its turn, given place to another bridge erected a few years ago on the same spot. Connected with the ancient structure, and on the Boharm side of the river, there was a religious establishment called The Hospital of St. Nicholas at the Bridge of Spey. The ruins of this establishment remained in considerable extent, till cleared away for the approach to the present bridge, when many human bones were disinterred." (The New Statistical Account of Scotland, number xxxviii., pp. 365, 366.) See also Shaw's History of the Province of Moray, pp. 16, 263, 264; Registrum Episcopatus Moraviensis, p. xxx.]

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 17.]

John, parson of Artyldol, ("ego Johannes persona de Artyldol subscribo") is one of the clergy of the diocese of Murray who adhibit their consent to the charter of Bricius, their bishop, erecting eight prebends in the cathedral church of the Holy Trinity at Spyny, between the year 1208 and the year 1214. (*Id.*, pp. 40—43.)]

Sancte Trinitatis de Spyny et collegio canonicorum ibidem Deo servientium . ecclesiam de Artendol . cum omnibus ad eandem ecclesiam juste pertinentibus . exceptis decimis bladi de duabus dauachis que sunt juxta castellum meum de Bucharm . scilicet Bucharm et Adthelnachorth . quarum omnes decime de blado . auctoritate domini . B . Moraviensis episcopi . assignate sunt capelle mee de castello meo de Bucharm ad sustentationem capellani ejusdem capelle : Quare volo et concedo ut prefata ecclesia et canonicorum collegium ibidem Deo serviens habeat predictam ecclesiam cum omnibus pertinentiis suis et rectitudinibus suis . exceptis decimis bladi de predictis duabus dauachis . in perpetuam et puram elemosinam . in decimis . oblationibus . et obventionibus omnimodis de vivis et mortuis tam de castello meo quam de meipso et familia mea in omnibus ad communitatem vicariorum in eadem ecclesia Deo servientium . Testibus Domino Bricio Moraviensi episcopo . Hugone fratre meo . Arkembaldo de Dufeglas . Freskyno decano Moraviensis ecclesie . Andrea de Moravia . Alexandro . Henrico . Hugone . magistro Henrico . canonicis de Spyny . Thoma capellano . Roberto clerico . Michaelae pincerna . Stephano de Edenham .

Carta Episcopi Moraviensis de ecclesia de Artildol .<sup>1</sup> (A.D. 1224—A.D. 1242.)

Omnibus hoc scriptum visuris vel audituris Andreas permissione divina Moraviensis episcopus eternam in Domino salutem . Noveritis nos donationem illam quam Willelmus filius Willelmi filii Freskyni fecit Deo et ecclesie Sancte Trinitatis de Spyny et collegio canonicorum Deo ibidem servientium de ecclesia de Artildol cum omnibus ad eandem ecclesiam juste pertinentibus . exceptis decimis bladi de duabus dauachis que sunt juxta castellum de Bucharme . scilicet Bucharme . et Athenacork . quarum omnes decime bladi . auctoritate venerabilis patris et predecessoris nostri venerabilis memorie Bricii quondam Moraviensis episcopi . assignate sunt

<sup>1</sup> [From the *Registrum Episcopatus Moraviensis*, pp. 69, 70.]

On the thirtieth of December, 1239, the same Bishop Andrew de Moravia, with the consent of his clergy, confirmed to the same canons of the church of the Holy Trinity at Elgyn, the same church of Artildol: "ecclesiam de Artildol cum omnibus pertinentiis suis ex dono Willelmi de Moravia . excepta capella de Bucharim cum suis pertinentiis . et salva nobis et successoribus nostris in perpetuum una dimidia dauacha terre ad mensam episcopalem pertinente." (*Registrum Episcopatus Moraviensis*, pp. 35, 36.)]

capelle dicti castelli . ad sustentationem capellani ejusdem capelle concesse . in hac nostra carta confirmasse Deo et ecclesie Sancte Trinitatis de Elgyn et eidem collegio canonicorum ibidem Deo servientium . Quare volumus et concedimus ut prefata ecclesia Sancte Trinitatis de Elgyn et collegium ibidem Deo serviens habeat predictam ecclesiam cum omnibus justis pertinentiis suis et rectitudinibus . exceptis decimis de predictis duabus dauachis . in puram et perpetuam elemosinam . in decimis oblationibus et obventionibus omnimodis et omnibus ecclesiasticis rectitudinibus tam de vivis quam de mortuis . tam de ejus ipso castello quam de ejus quolibet dominio et familia tota in omnibus . ad communitatem vicariorum in eadem ecclesia de Elgyn pro tempore Deo servientium . Ut autem hec nostra concessio et confirmatio futuris temporibus in perpetuum rata permaneat et inconcussa persistat hanc nostre confirmationis paginam manu propria conscriptam sigilli nostri appositione duximus muniendam . Testibus Freskyno decano nostro . magistro Henrico thesaurario . Ada subdecano . Lamberto succentore . magistro Edwardo . Roberto parvo . Roberto de Duffus . canonicis nostris . Radulpho capellano nostro . Symone de Guneby . Symone de Orreby . Gervasio . Euas' servientibus nostris . et aliis .

Compositio inter Episcopum Moraviensem et . W . de Moravia de Petyn .<sup>1</sup> (A.D. 1226.)

Noverint universi hoc scriptum visuri vel audituri quod cum Andreas episcopus Moraviensis convenisset et trahere in causam proposuisset Walterum de Moravia filium quondam Willelmi de Moravia . super terris de Ardrillen . et Lunnin . et Duldaui . et Croyn . quas idem Willelmus detinebat et jure hereditario ad se pertinere dicebat . et super advocacione ecclesiarum de Croyn . Abirlouer . Buthrothyn . et de Arteldol . et super decima cani domini Regis quod idem Rex solebat recipere de Bracholy . Bucharem . Abirlouer . et Kyneremoneh . Ita convenit inter eos amicabilem consentiente et consulente capitulo Moraviensis ecclesie . scilicet . quod predictus Episcopus quietas clamavit pro se et successoribus suis predicto Waltero et heredibus suis in perpetuum decimas cani predicti et advocaciones ecclesiarum de Abirlouer et de Buttruthin in quibus constabat plures predecessorum predicti Walteri usque ad tempora presentia jus presentandi habuisse . Compositionem autem factam inter venerabilem

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 23—25.]

patrem bone memorie dominum Bricium episcopum Moravie et patrem predicti Walteri super predictis ecclesiis et ecclesia de Artyldol ratam et firmam et stabilem decreverunt habendam . et ordinationem prebende factam tempore predicti Andree episcopi de omnibus decimis garbarum provenientium infra parochias de Abirlouer et de Butruthyn in perpetuum in canoniam assignatis decreverunt predictus Andreas et capitulum ejus juxta formam instrumentorum super hiis confectorum plenissime in omnibus observandam . Concesserunt autem idem Episcopus et capitulum ejus eidem Waltero et heredibus suis totam terram de Artendol tenendam juxta formam instrumentorum suorum super hiis ab Episcopis Moravie obtentorum . quam predecessores ipsius quiete tenuerunt temporibus trium Episcoporum venerabilis memorie scilicet Symonis Ricardi et Bricii per annos quadraginta et amplius . Predictus vero Walterus terram de Lunyn et Duldauy scilicet unam dauacham et dimidiam quam in feodo et hereditate tenere debebat reddendo inde annuatim . xx<sup>u</sup> . solidos . recepit ad firmam perpetuam concessam sibi et heredibus suis a predicto Andrea Moraviensi episcopo de consensu predicti capituli sui . tenendam in perpetuum de Episcopis Moravie in feodo et hereditate . reddendo inde singulis annis eisdem centum solidos scilicet quinquaginta solidos ad festum Sancti Martini et alios quinquaginta solidos ad Pentecosten . pro omni servitio ad predictum Episcopum vel successores suos pertinente . Salva predicto Episcopo et successoribus suis advocacione ecclesie de Lunnyn . et salvo forinseco servicio domini Regis ad predictam terram pertinente quod ipse Walterus et heredes sui facient in perpetuum . Si autem per guerram contigerit predictas terras de Lunnyn et de Duldauy ita destrui vel turbari quod predicta firma inde solvi non possit . durante statu illo juxta arbitrium boni viri vel ex toto predicta firma remittetur vel pro parte rationabili . Predictus vero Walterus pro se et heredibus suis quietum clamavit in perpetuum Episcopis Moravie jus quod se dicebat habere in terra de Croyn cum advocacione ecclesie ejusdem loci . salvo sibi et heredibus suis in perpetuum jure patronatus ecclesie de Bracholi . Convenit etiam ut instrumenta omnia que predictus Walterus habuerat de terris predictis et ecclesia de Lunnyn . et Duldauy . et Croyn et ecclesia ejusdem loci . reddantur et inania reputentur et cassa et omnino nulla . In premissorum vero firmum et indubitabile testimonium ei parti hujus scripture in modum cyrographi confecte que penes ecclesiam Moraviensem habetur appensa sunt sigilla domini Regis et predicti Walteri . et Walteri de Moravia filii quondam

Hugonis de Moravia . illi vero parti quam recipiet predictus Walterus appensa sunt sigilla predictorum Episcopi et capituli cum subscriptionibus canonicorum . Testibus Herberto abbate de Kynlos . Thoma priore de Urchard . W . decano de Strathbolgy . Roberto decano de Inuernys . Gregorio decano de Strathspe . Radulpho capellano predicti Episcopi . Archebaldo de Dufphus milite . Alexandro vicecomite de Elgyn . H . de Duglas fratre ejus . Augustino de Elgyn . Waltero de Ineys . Roberto Hod . Willelmo Wysman . Andrea Wysman . Willelmo fratre domini Ricardi episcopi . Waltero de Sallaltoch . Archebaldo de Inuerlochthyn . Symone et Andrea clericis predicti domini Episcopi . et aliis . Actum anno gratie . m<sup>o</sup> . cc<sup>o</sup> . xxvi<sup>o</sup> . nono die Octobris .

Compositio inter Episcopum Moravie et Walterum de Moravia . <sup>1</sup> (A.D. 1229.)

Noverint omnes hoc scriptum visuri vel audituri quod cum esset controversia inter Andream episcopum Moraviensem ex parte una et nobilem virum Walterum de Moravia filium quondam Willelmi de Moravia ex alia super terris et pasturis infra feodum predicti Walteri constitutis . predictus Episcopus de consilio et consensu Decani et capituli sui . pro bono pacis et ut posteris temporibus nulla fiat discordia super predictis inter ipsum et successores suos ex una parte et predictum Walterum et heredes suos ex altera . dedit predicto Waltero ad firmam terras suas de quibus erat contentio . scilicet de Butruthyn . et de Agynway . et de Artildul . et de Abirlouer . et de Cornekynermuneth . Habendas et tenendas ad firmam perpetuam predicto Waltero et heredibus suis de predicto Episcopo et successoribus suis . per rectas earundem terrarum divisas . et cum omnibus justis pertinenciis suis . reddendo inde predicto Episcopo et successoribus suis singulis annis . v . marcas sterlingorum legalium pro omni servicio et consuetudine et demanda ad predictum Episcopum vel successores suos pertinentibus . medietatem scilicet ad Festum Penthecostes et aliam medietatem ad Festum Sancti Martini in hyeme . et faciendo forinsecum servicium domini Regis ad predictas terras pertinens . In horum autem firum et indubitabile testimonium ei parti hujus scripture in modum cyrographi confecte que remanet penes predictum Walterum et heredes suos appensa sunt sigilla predictorum Episcopi et capituli sui cum subscriptionibus eorum .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 25, 26.]

dem . illi vero parti que penes predictum Episcopum et successores suos est remansura appensa sunt sigilla predicti Walteri de Moravia et Walteri de Moravia filii quondam Hugonis de Moravia . Testibus domino Herberto abbate de Kynlos . Thoma priore de Urcard . Symone priore de Kynlos . Radulpho capellano predicti Episcopi . Henrico vicario de Kenedor . domino Waltero de Moravia filio quondam Hugonis de Moravia . Willelmo de Moravia milite . Alexandro vicecomite de Elgyn . Augustino de Elgyn . Andrea Wysman . Symone de Garentuly . Sumerleto de Bucharm et aliis . Actum anno gratie . m<sup>o</sup> . cc<sup>o</sup> . xx<sup>o</sup> . ix<sup>o</sup> . mense Aprilis in die Sancti Marci euangeliste .

*Carte Hospitalis Sancti Nicholai juxta pontem de Spee .*

Carta de Robenfeld . <sup>1</sup> (A.D. 1228.)

Alexander Dei gratia Rex Scottorum omnibus probis hominibus totius terre sue clericis et laicis salutem . Sciant presentes et futuri nos divine pietatis intuitu dedisse . concessisse et hac carta nostra confirmasse ad sustentationem pontis de Spe terram de Robenfeld per rectas divisas suas et cum omnibus justis pertinentiis suis in liberam puram et perpetuam elemosinam quietam ab omni forinseco servitio auxilio et consuetudine et exactione seculari . Quare volumus ut custos predicti pontis qui per nos et consilium nostrum pro tempore preficietur ad hoc predictam terram habeat custodiendam . et de eadem terra ad commodum et conservationem ejusdem pontis sicut melius poterit disponat . Testibus Roberto episcopo Rossensi . magistro Matheo cancellario . Thoma priore de Urchard . Ranulpho archidiacono Moraviensi . Thoma Hostiario . Willelmo Prat vicecomite de Inuernarn . Radulpho de Campis . Willelmo Biset . Galfrido de Liberatione . apud Elgyn tricesimo die Junii . anno regni nostri quartodecimo .

Carta Muriel de Polloc . de Inuerorkel . <sup>2</sup> (A.D. 1224—A.D. 1242.)

Muriel de Polloc omnibus amicis et hominibus suis salutem . Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Deo . et Beate Marie . et Beato Nicholao . totam terram meam de Inuerorkel . per rectas divisas suas et cum omnibus justis pertinentiis suis

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 122.]

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, p. 120.]

in puram et perpetuam elemosinam . ad habendum in ea domum ad receptionem pauperum transeuntium . Quare volo et concedo ut predicta domus perpetuo habeat et possideat predictam terram per rectas divisas suas et cum omnibus justis pertinentiis suis . in bosco . in plano . in pratis et pascuis . in terris et aquis . in moris et maresiis . in stagnis et molendinis et piscariis . adeo libere et quiete . plenarie et honorifice sicut aliqua elemosina in regno Scotie liberius . quietius . plenius et honorificentius ab aliqua domo religiosa tenetur vel possidetur . Testibus Andrea Moraviensi episcopo . magistro Henrico thesaurario . Rand' archidiacono . Willelmo subdecano ecclesie Sancte Trinitatis de Elgyn . Nicholao vicario de Rothyn . Symone vicario de Dundurkus . Willelmo fratre Ricardi episcopi . Nicolao de Urcane . Hugone Grene . et aliis .

De iiii marcis de firma molendinorum de Inuernarn . <sup>1</sup> (A.D. 1232.)

Alexander Dei gratia Rex Scottorum omnibus probis hominibus totius terre sue clericis et laicis salutem . Sciant presentes et futuri nos pro salute anime nostre et antecessorum nostrorum dedisse . concessisse et hac carta nostra confirmasse Deo et beate Marie et capelle Sancti Nicholai juxta pontem de Spe . ad sustentationem capellani et clerici in dicta capella deservientium . quatuor marcas annuatim percipiendas de firma molendinorum nostrorum de Inuernarn . Quare volumus et firmiter precipimus ut firmarii dictorum molendinorum nostrorum de Inuernarn predictis capellano et clerico qui in dicta capella Sancti Nicholai pro loco et tempore ministraverint quatuor marcas singulis annis habere faciant scilicet medietatem ad Penthecosten et aliam medietatem ad Festum Sancti Martini . Testibus Willelmo de Bondington cancellario . Waltero filio Alani senescalli justiciario Scotie . M . comite de Anegus et Katania . Johanne Biset . Waltero Biset . M . filio . M . comitis de Leuenaux . Willelmo Biset . Apud Inuerculan septimo die Octobris . anno regni domini Regis decimo octavo .

Compositio super ecclesia de Rothes . <sup>2</sup> (A.D. 1235.)

Anno Domini . m<sup>o</sup> . cc<sup>o</sup> . tricesimo quinto / Cum esset mota controuersia inter . H . priorem et conuentum Sancti Andree . ex una parte . et venera-

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 122, 123.]

<sup>2</sup> [From the Liber Cartarum Prioratus Sancti Andree, pp. 326, 327 ; collated with a copy in the Registrum Episcopatus Moraviensis, pp. 123, 124.]



bilem patrem . A . Dei gracia episcopum et capitulum Moraue . et dominam Muriel de Rothas et hospitale Sancti Nicholai iuxta pontem de Spe ex altera . super ecclesia de Rothas / tandem tam dicti prior et conuentus de consensu uenerabilis patris . W . Dei gratia episcopi Sancti Andree . quam pars aduersa pro se et successoribus suis . in perpetuum ad eneruandam omnis concertacionis et disceptationis materiam / se supposuerunt ordinacioni dicti uenerabilis patris Andree . Dei gratia episcopi Morauensis . renunciantes utrinque omni accioni et excepcioni et omni interpellacioni facte uel faciente in iudicio uel extra iudicium . et imptetratis et imptetrandis super predicta ecclesia et eius pertinenciis . Ex ordinacione autem dicti episcopi concesserunt et quietum clamauerunt predicti prior et conuentus ex consensu uenerabilis patris . Willelmi Dei gracia episcopi Sancti Andree . predicto hospitali in perpetuum totum ius quod dicebant se habere in dicta ecclesia de Rothas et eius pertinenciis . Dictus uero Andreas Dei gracia episcopus Morauensis . de consensu capituli sui et predictae domine de Rothas et predicti hospitalis . dedit et concessit tres marcas singulis annis soluendas inperpetuum de predicta ecclesia de Rothas nomine simplicis beneficii / priori et conuentui Sancti Andree per manum cuiuslibet rectoris predicti hospitalis ad dictum hospitale . scilicet uiginti solidos ad Festum Sancti Martini in hieme . et uiginti solidos ad Pentecosten . proximo sequens . Ut autem hec ordinacio perpetuum optineat robur firmitatis / parti huius scripture per modum cyrograffi confecte penes priorem et conuentum Sancti Andree residenti . apposita sunt sigilla dicti uenerabilis patris Episcopi et capituli Moraue . cum subscripcionibus eorundem . et sigilla dicte domine de Rothas et dicti hospitalis . parti uero alteri penes partem alteram residenti . apposita sunt sigilla uenerabilis patris episcopi et capituli Sancti Andree / cum subscripcionibus fratrum . Testibus dictis Episcopis capitulis et aliis . Ego Andreas canonicus et episcopus subscribo . Ego Symon decanus subscribo . Ego . W . cantor subscribo . Ego . W . cancellarius subscribo . Ego . R . thesaurarius subscribo . Ego . W . archidiaconus subscribo . Ego . L . succentor subscribo . Ego . . . . archidiaconus subscribo . Ego . R . de Duppol subscribo . Ego Edwardus canonicus subscribo . Ego . W . subdiaconus subscribo . Ego . M . canonicus subscribo . \*

\* [The copy engrossed in the Register of the see of Murray is subscribed thus :

“ Ego . H . prior Sanctiandree subscribo . Ego . R . supprior subscribo . Ego .

Carta Muriel de Polloc . de molendino . <sup>1</sup> (A.D. 1238.)

Muriel de Rothas filia quondam Petri de Pollok omnibus amicis et hominibus suis salutem . Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse hospitali Sancti Nicholai juxta pontem de Spe et in eodem loco servientibus et servituris . ad sustentationem pauperum ad idem hospitale confluentium . molendinum habendum in terra sua de Inuerorkell et stagnum habendum et aqueductum ad idem molendinum . sicut habuerunt tempore confectionis hujus carte et sicut melius ibidem habere poterunt . Dedi etiam et concessi et hac carta mea confirmavi eidem hospitali in puram et perpetuam elemosinam illam portionem terre que est proxima eidem versus orientem et que jacet inter Spe et proximum cundos a cruce quam ibidem feci poni usque ad aliam crucem que posita est prope aquam que vocatur Orkel et prope predictum hospitale . sicut ego ipsa una cum venerabili patre domino Andrea Moraviensi episcopo predictam portionem terre perambulavi . salva mihi et heredibus meis et heredum meorum via tunc provisa et assignata . Testibus predicto venerabili patre Moraviensi episcopo . magistro . W . Agno officiali episcopi Moraviensis . magistro Hugone de Haketon . magistro Johanne de Berwic . magistro Willelmo de Hoketon canonicis ecclesie Moraviensis . Archebaldo et Waltero capellanis dicti Episcopi . Symone persona de Dundurkus . Hugone vicario de Rothas . Nicholao et Henrico capellanis meis . Roberto clerico domini justiciarii Scocie . Daud filio Jacobi Morgundi . Adam filio Gospatric . Hugone de Seton . Willelmo de Achenbruc . Actum anno gratie . m<sup>o</sup> . cc<sup>o</sup> . tricesimo octavo . die Sancti Nicholai .

Carta Walteri de Moravia . de Agynway . <sup>2</sup> (A.D. 1224—A.D. 1242.)

Omnibus hoc scriptum visuris vel audituris Walterus de Moravia filius quondam Willelmi de Moravia salutem . Noveritis universi me dedisse . concessisse et hac carta mea confirmasse Deo et beato Nicholao et hospitali ejusdem sito juxta pontem de Spe . ad sustentationem pauperum

W . subscribo . Ego . G . tertius prior subscribo . Ego . Jo . primus subscribo . Ego Thomas subscribo . Ego frater Adam subscribo . Ego frater Thomas subscribo . " (Registrum Episcopatus Moraviensis, p. 124.)]

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 120, 121.]

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, pp. 121, 122.]

ibidem recipiendorum . totam terram meam de Agynway . scilicet unam dauacham . tenendam sibi et habendam de me et heredibus meis in puram et perpetuam elemosinam per rectas divisas suas cum omnibus pertinentiis suis justis . in bosco . in plano . in pratis . in pascuis . in moris . in marisiis . in stagnis et aquis et molendinis et omnibus aliis ad eam juste pertinentibus . salva mihi et heredibus meis piscaria de Spe que ad eandem pertinet . Quare volo et concedo ut predictum hospitale habeat et possideat predictam terram in puram et perpetuam elemosinam adeo libere . quiete . plenarie et honorifice sicut aliqua elemosina in toto regno Scotie ex dono alicujus liberius . quietius . plenius et honorificentius tenetur et possidetur . reddendo inde singulis annis mihi et heredibus meis pro omni servitio et exactione ad nos vel ad predictam terram pertinente unam libram piperis ad Penthecosten . Testibus Andrea episcopo Moraviensi . magistris Willelmo et Edwardo et Willelmo fratre meo canonicis Moraviensis ecclesie . domino Waltero de Moravia filio quondam Hugonis de Moravia . Michaele de Smalham et Roberto de Cockburn et Stephano servientibus meis .

Confirmatio Eve de Morthach . de ecclesia de Rothes .<sup>1</sup> (A.D. 1235—A.D. 1242.)

Omnibus hoc scriptum visuris vel auditoris domina Eva Morthach domina de Rothes salutem . Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Deo et beate Marie et beato Nicholao et hospitali Sancti Nicholai pontis de Spe . ad sustentationem pauperum ibidem confluentium . ecclesiam de Rothes et quicquid juris in ipsam habere potui . quam inclite recordationis Muriel de Pollok mater mea eidem hospitali dedit et concessit . Quare volo et concedo ut predictum hospitale perpetuo habeat et possideat predictam ecclesiam adeo libere . quiete . plenarie et honorifice in puram elemosinam sicut aliqua ecclesia vel elemosina liberius . quietius . plenius et honorificentius ab aliquo laico patrono habetur et possidetur . In cujus rei testimonium huic scripto sigillum meum apposui . Testibus domino Willelmo de Aston canonico Moraviensis ecclesie . domino Willelmo vicario de Dundurkus . domino Henrico capellano de Rothes . Matheo de Elgyn canonico Moraviensis ecclesie . Roberto de Pollok . Ada filio Roberti . Willelmo dispensatore . et aliis .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 124.]

Confirmatio Episcopi Moraviensis . <sup>1</sup> (A.D. 1235—A.D. 1242.)

Omnibus sancte matris ecclesie filiis hoc scriptum visuris vel audituris Andreas divina permissione Moraviensis episcopus eternam in Domino salutem . Noveritis universi nos de consilio et voluntate et consensu capituli Sancte Trinitatis de Elgyn dedisse et concessisse et hac carta nostra confirmasse Deo et beato Nicholao et hospitali ejusdem sito juxta pontem de Spe . ad sustentationem pauperum ibidem recipiendorum . in puram et perpetuam elemosinam . ecclesiam de Rothes cum omnibus justis pertinentiis suis in obventionibus . oblationibus et omnibus aliis redditibus ecclesiasticis ad eam de jure spectantibus . Quare volumus et concedimus ut predictum hospitale habeat et possideat predictam ecclesiam de Rothes cum omnibus pertinentiis suis in puram et perpetuam elemosinam adeo libere . quiete . plenarie et honorifice sicut aliquod beneficium ecclesiasticum in dyocesi nostra liberius . quietius . plenius et honorificentius tenetur et possidetur . Salvis Episcopalibus . In horum autem testimonium huic scripto apposita sunt sigillum nostrum autenticum et sigillum autenticum predicti capituli cum subscriptione fratrum . Testibus . domino . S . decano ecclesie Moraviensis . magistro Ricardo precentore Moraviensis ecclesie . domino Willelmo cancellario . domino Roberto thesaurario . domino Ranulpho archidiacono . magistris Edwardo et Willelmo . Roberto . Andrea . Johanne canonicis ejusdem ecclesie . Radulpho capelano nostro . Simone de Direby serviente nostro .

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 125.]

THE PARISH OF ABERLOUR (OR SKIR-DROSTAN.)<sup>1</sup>ABERLAURE PARISH.<sup>2</sup> (A.D. M.DCC.LXXV.)

HE parish of *Aberlaure* (all in the county of Banff) is called also *Skir-Drustan*. It extendeth on the bank of Spey, from the mouth of Fiddich, three miles to the south-west; and, on all other sides, is environed with hills, and no where above a mile in breadth, except a small skirt in Glenrinnes.

The church standeth on the bank of the river, where a brook, flowing from the hills towards Mortlich, falleth into it, two miles north-west of Mortlich, two miles near to the west of Boharm, and three miles and a half north-east of Inveravon. At the confluence of Fiddich and Spey, there is a passage boat, and another at the church.

Aberlaure and Skirdrostan (the last dedicated to St. Durstan) were distinct charges; but how early they were united, I find not. In M.DC.XL., Walter Innes of Auehluncart, Adam Duff of Drummuir, and James Sutherland, tutor of Duffus, presented severally to this church; and Duffus's right being examined by the commissaries of Moray and Inverness, and some ministers, was found good (*Synod Records*). Now, the Earl of Fife acteth as patron; probably as coming in the place of Lord Balvenie. The stipend is eight hundred and fifty merks, with fifty merks for communion elements. The school is not legal. The mortifications are: by Alexander Grant of Alachie, one hundred pounds: by William Innes of Kinnermonie, (for which the Earl of Fife pays annually three and a half bolls oatmeal,) three hundred and fifty pounds: by John Proctor, sixty-six pounds, thirteen shillings and fourpence: by Patrick Clark in Boharm, thirty pounds: by Alexander Green, sixty-six pounds, thirteen shillings and fourpence: and by John MacKeran in Glenrinnes, sixty-six pounds, thirteen shillings and fourpence: total, (in Scots money) six hundred and eighty pounds. The catechisable persons are

<sup>1</sup> ["The name of this parish, Skirdustan, is derived from the Gaelic *skir*, to cut or divide, and *Dustan*, the name of its tutelary saint, the whole signifying *Dustan's division or parish*." (The New Statistical Account of Scotland, number xi., p. 110. Edinb. 1836.) "The name of Aberlour parish is derived from its local situation, at the mouth of a noisy burn, where it discharges itself into the Spey." (The Statistical Account of Scotland, vol. iv., p. 64. Edinb. 1792.) "Near the influx of the burn of Aberlour, on the daugh of Allachie, stand the roofless walls of the old church; and about three hundred yards farther to the east, on the same plain, is the new church, erected in the year 1812." (The New Statistical Account of Scotland, number xi., p. 116.)]

<sup>2</sup> [From Shaw's History of the Province of Moray, pp. 29, 30, 329, 330.]

eight hundred and forty. The protestant ministers are : Mr. John Stuart, settled before M.DC.XXIV., died on the first of April, M.DC.XXXIX. : Mr. George Speed, ordained in June, M.DC.XL., died on the twenty-second of August, M.DC.LXVIII. : Mr. Robert Stephen, ordained in summer, M.DC.LXIX., died in December, M.DCC.V. : Mr. Robert Stephen, ordained on the eighteenth of September, M.DCC.VII., transported to Craig of Munross in M.DCC.XIV. : Mr. George Lindsey, from Rothies, admitted in winter, M.DCC.XIV., died in M.DCC.XV. : Mr. Daniel MacKenzie from Kingusie, admitted in December, M.DCC.XV., transported to Inveravon in M.DCC.XVIII. : Mr. Robert Duff, ordained in March, M.DCC.XIX., died in July, M.DCC.XXXVIII. : Mr. John Touch, ordained on the thirty-first of May, M.DCC.XXXIX., transported to Mortlich in M.DCC.LXIII. : Mr. James Thomson, ordained in M.DCC. . . . admitted on the twentieth of February, M.DCC.LXVI. *Nota bene* : *lite pendente*, the Duke of Gordon and Earl of Fife agreed to this last settlement, *salvo jure*.

The parish is now the property of five heritors.

In the lower end is Mudhouse, a feu pertaining to Mr. Anderson.

Next up the river is the heritage of Gordon of Aberlaure.

Further up the river, and on the south-east of the brook, is Alachie.<sup>1</sup> This was the heritage of Alexander Grant, third son of Bellentom, by whose daughter it came in mortgage to Duff of Keithmore, and was lately redeemed by Sir Ludowick Grant, who, in M.DCC.LVIII., disposed it to James Grant of Caron.

In the face of the hill, south-west from Alachie, is Edinville. This was the property of Gordon of Faskine, from whom it came to Grant of Easter Elchies, and now is the property of the Earl of Findlater.

The lands of Mudhouse, Aberlour, Alachie, and Edinville, were a part of the lordship of Balvenie ; and the lands of Caron were church lands, and now hold of the family of Gordon.

Below Edinville, towards the side of the river, is the barony of Kinermonie. This was a part of the lordship of Balvenie, and was given by Innes of Balvenie to his second son, whose heirs exchanged it for Ortown, and now it is the property of the Earl of Fife.

<sup>1</sup> ["Carta feodifirmae ab Episcopo Moraviensi cum consensu capituli concessa Jacobo Grant de Fruychie et Johanni Grant ejus filio et heredi apparenti, terrarum de Lagane, Ardinche, Auchnahandet, in vicecomitatu de Invernes ; Cowilnakile, Auchehangane, Wester Daltuly, Ester Daltuly, et croftae de Cardell, in vicecomitatu de Elgin et Forres ; et Ardaly et Alloquhy in vicecomitatu de Banff ; una cum piscationibus de Ardinche super lacum ejusdem et super aquam de Spey, de Ester Daltuly et Wester Daltuly, Alloquhy et Ardaly, Dalwey, Adwy, Tullecquhene, Adwoke et Calatar super eandem aquam de Spey ; in baronia de Strathspey et regalitate de Spyne : Reddendo annuatim sexaginta sex libras octodecim solidos et quatuor denarios : Apud Elgin in loco capitulari Moraviensi, 7 Maii 1541." (Registrum Episcopatus Moraviensis, p. 411.) See also pp. 449, 450.]

In the west end of the parish is Carron,<sup>1</sup> at the foot of the hill of that name. It continued above two hundred years, the property of a branch of the family of Grant of Glenmorriston; and colonel John Grant, the last of Carron, being killed before Carthagera, *anno* M.DCC.XLI., without male issue, Charles Grant of Ringorum became the male heir. From him captain Lewis Grant of Achterblair, a branch of the Clan Allan (and who married colonel Grant's eldest daughter), purchased his right; and now captain James Grant, his son, enjoyeth it, and in M.DCC.LXVII., was made baron of Mulderie, in the county of Moray.

Confirmatio canoniarum de Petin · Bracholi · Butrothen · et de Abir-  
lochur ·<sup>2</sup> (A.D. 1224.)

Honorius episcopus servus servorum Dei venerabili fratri Moraviensi episcopo salutem et apostolicam benedictionem · Justis petentium desideriis dignum est nobis facilem prebere consensum et vota que a tramite rationis non discordant effectu prosequente complere · Cum igitur ecclesie tue utilitate pensata · de decimis bladi villarum quarundam · videlicet Petyn ·

<sup>1</sup> ["Carta feodifirmae terrarum de Carrane in baronia de Strathspey et vicecomitatu de Banff ab Episcopo Moraviensi concessa Johanni Grant de Culcabok in vitali redditu, et Johanni Grant Roy ejus filio et heredibus masculis de corpore; quibus deficientibus Alexandro Grant fratri germano dicti Johannis Grant Roy et heredibus masculis de corpore; quibus deficientibus Jacobo Grant filio dicti Johannis Grant de Culcabock et heredibus masculis de corpore; quibus deficientibus Jacobo Grant de Fruyche et heredibus masculis de corpore; quibus deficientibus heredibus masculis dicti Jacobi Grant de Fruyche quibuscunque cognomen et arma de Grant gerentibus: cum potestate piscandi super aquam de Spey in singulis limitibus terrarum cum retibus et cimbis, lie wathspers et currokis: Reddendo annuatim novem libras, tres solidos, quatuor denarios: Apud Elgin, 7 Maii 1541." (Registrum Episcopatus Moraviensis, p. 397.) "Confirmatio ab Episcopo Moraviensi, cartae venditionis a Johanne Grant Roy factae, de terris de Carrane et Roymoir, Elizabethae Maxwell relictæ quondam Johannis Reid de Straloch in vitali redditu, apud civitatem Dunkeldensem, 1 Oct. 1568: Apud Spyne, 26 Aprilis, 1571." (*Ibid.*) See also pp. 449, 450.]

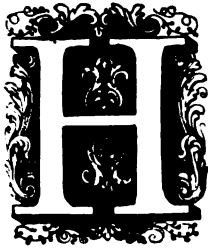
<sup>2</sup> [From the Registrum Episcopatus Moraviensis, p. 72. See also pp. 75, 92, 223; and above pp. 280—283.]

The prebendary of Aberlour was bound to provide a deacon to serve as his substitute in the cathedral church at Elgin. (Registrum Episcopatus Moraviensis, pp. 94, 361.) In the year 1238, Andrew canon of Aberlour ("ego Andreas canonicus de Abyrlouer") is one of the prebendaries who adhibit their signatures to the constitutions for the service of the cathedral. (*Id.* pp. 103—105.) On the second of August, 1473, Thomas of Saint Clair, or Sinclair, is prebendary of Abirlour. (*Id.* pp. 256, 257.) On the twenty-third of October, 1487, and on the eighth of May, 1489, master Alexander Sutherland is prebendary of Abirlour. (*Id.* pp. 257, 264, 265.)]

Brocholin . Butruthyn . Abyrlouer . duas canonicales prebendas . de assensu capituli tui et patroni villarum ipsarum . jure tamen patronatus sibi in illis et suis successoribus reservato . provida deliberatione duxeritis statuendas . nos tuis precibus inclinati statutum hujusmodi sicut sine pravitate pie ac provide factum est . dummodo in juris alieni prejudicium non redundet . auctoritate apostolica confirmamus et presentis scripti patrocinio communimus . Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Siquis autem hoc attemptare presumpserit . indignationem Omnipotentis Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursurum . Datum Lateran . xii . Kalendas Maii . pontificatus nostri anno . viii .

### THE PARISH OF INVERAVEN (OR STRATHAW'N.)

THE PARISH OF INVERAVON.<sup>1</sup> (A.D. M.DCC.LXXV.)



ERE I must trace the rivers of Avon and Livat that water this parish.

The river Avon riseth out of a lake of that name, about two miles in length, situated in a deep valley, between two of the highest hills in the kingdom, *videlicet* Cairn-gorm and Cairn-gorm-beg; and running through Glenavon, and the parishes of Kirkmichael and Inveravon, it emptieth into Spey at Ballendalloch, after a course of about twenty miles.

About three miles above the mouth of Avon, Livat falleth into it, which, rising in the hills towards Strathdon, watereth Glenlivat for seven or eight miles, and mixeth with Avon at Drummin.

Both these waters are very impetuous; and Avon is so clear and deceiving, that, where to the eye it appeareth but a foot deep, it is commonly more than three feet.<sup>2</sup>

This parish is very extensive, running on the bank of Spey, from north-east to south-west, above three and a half miles, and then south-south-east above eight miles.

<sup>1</sup> [From Shaw's History of the Province of Muray, pp. 30—32, 330, 331.]

<sup>2</sup> ["Avinium annem omnium regni hujus limpidissimum et purissimarum aquarum esse, retulit mihi Timotheus Pont, qui universa haec lustraverat." (Praefecturae Aberdonensis et Banfiensis Nova Descriptio, auctore Roberto Gordonio, 1654, in Collections for a History of the Shires of Aberdeen and Banff, p. 11.) "The Aven is celebrated for



The church standeth on the bank of Spey, a furlong east from the mouth of Avon, three and a half miles south-west of Aberlaure, two miles south of Knockando, six miles north-east of Cromdale, and as many north of Kirkmichael. It was a parsonage dedicated to Saint Peter, and was the seat of the chancellor of the diocess; and the vicarages of Knockando, and Urquhart, beyond Inverness, depended on it. The laird of Grant is patron. Mr. William Cloggie, being transported to Inverness, retained the revenues of the chancellor till the synod in M.DC.XXIV. obliged him to demit them. There was a chapel of ease in the south-west corner, called Kil-Machlie, and two in Glenlivat, *videlicet*, at Daskie and at Dunan.<sup>1</sup> The stipend, by a decret in M.DC.LXXXV. was eight hundred and thirty merks, with thirty-six merks for element money; but, *anno* M.DCC.LXIX., an augmentation was obtained of sixteen pounds Scots, and three chalders of meal valued at six pounds Scots *per* boll. The mortifications for the poor are

its uncommon transparency, which makes it dangerous for strangers to attempt fording, being often many feet deep where it scarcely appears to be two; and hence the doggerel lines

The water of Aven so fair and clear,  
Would deceive a man of a hundred year."

(The New Statistical Account of Scotland, number xi., p. 126. Edinb. 1836. See also The Statistical Account of Scotland, vol. xii., pp. 425, 426. Edinb. 1794.)]

<sup>1</sup> ["Besides the churchyard of the parish, there are two other burying places, one upon the east side of Livet, near four miles from the parish church, near the walls of the old chapel of Dounan; and another, almost five miles higher up the glen, on the west side of Cromby, and opposite to The Bochle. It is called The Buitterlach, and was consecrated more than forty years ago, by two popish bishops, to be a burying ground for the catholics; but few are yet buried in it. There was in old time also a chapel and burying place on the the east side of Livet, about half a mile above the protestant meeting house, called Chapel Christ; but very little remains of the chapel are to be seen, and the burying ground has been washed away by a small rivulet which runs between it and Nevie, and by the water of Livet. There was also once a chapel and burying ground on the west side of Aven, on the estate of Kilmachlie, almost opposite to the mouth of Livet, on a farm which is from it called Chapelton. There are evident marks of graves with stones set up at the heads of some of them; and hard by is an excellent spring, which emits a large stream of water." (The Statistical Account of Scotland, vol. xiii., pp. 36, 37. Edinb. 1794.) "There were chapels at Phons, at Nevie, Deskie, and Chapelton of Kilmaichlie; but no traces now remain of any of them except the latter, the outlines of which are still visible, with some appearances of graves close by. The burial ground of Downan is still used, and occasionally also that of Buitterlach; in the near neighbourhood of which there is a very large cairn supposed to be raised over the grave of a person of note. A small spot, in a field on the farm of Haughs of Kilmaichlie, appears clearly to have been also a place of sepulture. In the immediate neighbourhood of the old chapel at Chapelton of Kilmaichlie is a very copious spring of water, cased with stones, indicating perhaps that it was in repute in times of old." (The New Statistical Account, number xi., pp. 133, 125.)]

seven hundred merks. The school is legal. The catechisable persons are sixteen hundred and sixty; whereof about five hundred are Roman Catholics. The Protestant ministers are: Mr. William Cloggie, settled before M.DC.X., transported to Inverness about M.DC.XX.: Mr. Alexander Innes, ordained about M.DC.XXII., transported to Rothemay about M.DC.XXX.: Mr. John Chalmers, ordained about M.DC.XXXI., transported to Gartlie in M.DC.XLIX.: Mr. Alexander Gordon, ordained in M.DC.L., deposed for immorality in M.DC.LVII.: Mr. George Hannay (ordained minister at Alves on the twelfth of November, M.DC.XL. deposed in M.DC.XLVI., for opposing the covenant,) admitted in M.DC.LVIII., transported to Aldern in M.DC.LXIV.: Mr. Alexander Dunbar, ordained in M.DC.LXV., transported in M.DC.LXVIII.: Mr. James Stuart, ordained on the twenty-second of September, M.DC.LXIX., demitted in M.DC.LXXXI. on account of the test: Mr. John Stuart, ordained in summer M.DC.LXXXII., died in M.DC.XCVII.: Mr. James Bannerman, ordained on the fifteenth of April, M.DCC.III., transported to Forglen in M.DCC.XVII.: Mr. Daniel MacKenzie, from Aberlaure, admitted in M.DCC.XVIII., transported to Pettie in M.DCC.XIX.: Mr. Alexander Fraser, from Alvie, admitted on the twenty-first of September, M.DCC.XXI., died on the thirteenth of February, M.DCC.LII.: Mr. James Grant, ordained in M.DCC.LI., admitted on the twenty-third of November, M.DCC.LII.

Malcolm, Earl of Fife, gave this church, and a davach of land in Inveravon, to the Bishop of Moray; which sheweth that this was once a part of the estate of the Earls of Fife, and probably came to the Grants by the favour of Robert Steuart, Duke of Albany, (uncle to Andrew Steuart, who married the heiress of Grant,) to whom Isabel MacDuff, the heiress, disposed that great estate.

The whole lower end of the parish (except Coulchoich, pertaining to the Duke of Gordon) is the barony of Ballindalach. This, for above two hundred years, was a part of the estate of the old family of Ballindalach, of whom Advie, Dellay, Dalvey, Tommavulin, *etc.*, have descended. But being evicted and brought to a sale, it was purchased by the laird of Grant in the beginning of this century, and given by the brigadier with his sister to colonel William Grant, second son to Rothimurchus, whose son James (since the death of his nephew William, son of his elder brother Alexander, without issue) now possesseth it, and has a beautiful seat at the confluence of Spey and Avon.<sup>1</sup>

<sup>1</sup> [“ The house of Ballindalloch, a large structure, consists of a square building, flanked by three circular towers; the centre tower, which is the largest, containing the ancient door and turnpike stair, surmounted by a square watch-tower termed ‘ the cape house,’ with a window to each of the four sides, and an aperture in the wall immediately above the entrance, so as to admit of boiling lead, or missiles, being thrown down in the event of an enemy making good his approach. Over the chimney in one of the rooms is carved the date 1546. The ‘ cape house’ seems to have been added by Patrick Grant in the year 1602;

Three miles above Ballindalach, upon the same side of Avon, beginneth Glenlivet,<sup>1</sup> which runneth up south-east on both sides of Livat five miles, and holdeth of the Duke of Gordon, either in property or superiority.

In the face of Benrinnes, on the north side of Livat, is Morinsh, for several generations the property of Nairn of Morinsh, but now a part of the estate of Ballindalach.

On the west side of Avon, for three miles from the mouth of it, lieth the barony of Kilmachlie. This was a part of the estate of Alexander Steuart, (fourth son of King Robert II.), Earl of Buchan, and Lord Badenoch and Strath-

and, about the beginning of the last century, a further addition was made of two large and commodious wings. The building is situated a little to the east of the Aven, and about half a mile from its confluence with the Spey, upon a low flat haugh richly wooded. A little farther up the river, upon the edge of the high ground, and near a small stream called 'the castle stripe,' are to be seen the traces of a large building, said to have been the old castle or mansion house of Ballindalloch; where, tradition says, it would have still stood, had not the rebuilding been prevented by unseen agency, the part built in the day time having been always thrown down through the night: at length a voice was heard saying 'Build in the cow haugh, and you shall meet with no interruption.' The recommendation was followed, and the house of Ballindalloch was built where it now stands." (The New Statistical Account of Scotland, number xi., pp. 133, 134.)

"Carta feodifirmae ab Episcopo Moraviensi cum consensu capituli concessa Johanni Grant de Ballandallacht et nobili mulieri Barbarae Gordoun ejus sponsae et heredibus masculis dicti Johannis; quibus deficientibus Jacobo Grant de Fruychy et heredibus suis masculis; terrarum de Kirktoone de Inverawn in vicecomitatu de Banff: Reddendo inde annuatim quatuor marcas: Testibus Alexandro Gordoune de Strathown, Arthuro Stewart de Kynimachlo, Patricio Grant de Dalwey, Jacobo Grant de Desk, Willelmo Gordoune: Apud Drummyn, 16 Julii 1544." (Registrum Episcopatus Moraviensis, p. 408.) "Preceptum sasine earundem terrarum: Testibus ut supra, una cum Willelmo Hay: Apud Drummyn, 21 Julii 1545." (*Ibid.*) See also pp. 391, 392, 398, 399.]

<sup>1</sup> ["About a mile from the confluence of Aven and Livet, the rivulet Tervy falls into Livet. From the mouth of Tervy, up Livet about half a mile, lies Achbrake; and at the distance of half a mile eastward from Achbrake, the burn of Altachoynechan falls into Tervy; and about a mile and a half almost up this burn and south-east from its mouth, the battle of Altachoynechan, in October, 1594, was fought between Huntly and Argyle, in which the latter was defeated." (The Statistical Account of Scotland, vol. xiii., p. 35.) "The battle of Altachoynechan, or Glenlivet, was fought on the fourth of October, 1594, upon an inclined plain near the Glenrinnnes border of the parish, terminating in a flat ridge which descends rapidly to the burn of Altachoynechan, and flanked on the south by a somewhat precipitous shoulder of the contiguous mountain. About three quarters of a mile from the scene of action, a small knoll on the east bank of the stream Coulalt, commonly called Lord Auchindown's cairn, two-thirds of it swept away by the flood of 1829, marks the place where Sir Patrick Gordon of Auchindown is supposed to have died." (The New Statistical Account of Scotland, number xi., p. 130.)]

avon; who, having no legitimate issue, gave the lands of Strathavon to his bastard son, Sir Andrew; whose son, Sir Walter, sold Strathavon to the family of Gordon: or, rather, it came to Thomas, bastard son of Alexander Steuart, Earl of Marr, who was bastard son of the Earl of Buchan; and Thomas sold it to Alexander, Earl of Huntly. But Kilmachlie continued with a son of Sir Andrew and his descendants,<sup>1</sup> untill Ludovick laird of Grant, purchased it; and now it is a part of the estate of Ballindalach.<sup>2</sup>

On the point where Avon and Livat join, stands the castle of Drummin<sup>3</sup> which was the seat of the barons of Strathavon, and is now the residence of Charles Steuart of Drummin, a branch of Kilmachlie. Here there is an arch of a stone-bridge over Livat.

This parish is accommodated with much wood, rich pasture ground, and plentiful salmon fishing.

The barony of Ballindalach is in the county of Moray: the rest is in Banffshire.<sup>4</sup>

<sup>1</sup> [On the fifth of February, 1493, "the lordis of consale assignis to Alexander Tulloche the xv day of Aprile nixt tocum with continiatioune of dais to preif sufficiently that Walter Stewart of Straithovn knycht is awand to the said Alexander as are to vmquhile his faider the soume of ijc merkis And alse to preif sufficiently that Margrete laidy Dvn and Jonat Ogilby laidy Leis is awand him a croce of gold with a precieuse stane callit a ruby and vij orient perle with a pece of bane of Sanct Magnis hede / and the price tharof And ordinis him to haf letrez to summonde his witnes and the partij to here thaim sworne ." (Acta Dominorum Concilii, p. 273.)]

<sup>2</sup> ["A clump of venerable firs, one of them measuring eleven feet in circumference at eleven feet from the ground, and supposed to contain two hundred and twelve cubic feet of timber, heightens the natural beauty of the ancient place of Kilmaichlie, which, with the old widow lady who inhabited it, and some of her domestics, is so interestingly described in the eighty-seventh number of 'The Lounger,' by the graphic pen of the 'Man of Feeling.' " (The New Statistical Account of Scotland, number xi, p. 129.)]

<sup>3</sup> ["At Blairfindy, are to be seen the ruins of a hunting seat of the Earls of Huntly; and at Drummin, on a high promontory near the confluence of the Livet with the Aven, stands part of the old castle of Drummin, now affording shelter only to jackdaws and pigeons. The wall, which is of great height and thickness, is pretty entire on the east and north, and half of the west side; but the other half of the west and the whole south wall are gone, and the stability of a considerable part of what remains of the structure seems to rest on a single stone of a few inches in diameter." (The New Statistical Account of Scotland, number xi. p. 133.)]

<sup>4</sup> ["There were upon an eminence on the east side of Aven, and a short way up from the house of Ballendalloch, a few long stones enclosing a small piece of ground, which was said to be a Druidical temple. The most of the stones have been taken away, except one very broad, thick, and long stone, which stands still there. Opposite to this, on the west

ACCOUNT OF THE COUNTRY OF STRATHSPEY.<sup>1</sup> (circa A.D. M.DC.LXXX.)

Through this country runneth the famous river Spey, *omnium Scotiæ fluminum rapidissimum*.<sup>2</sup> It taketh its beginning at a great craig called Craig Ilachie, which divideth this country from Badenoch.

This word Craig Ilachie is the laird of Grants slugan: whenever the word is Craig Ilachie. cryed through this country, all the inhabitants are obliged, under a great fine or mulct, to rise in arms and repair themselves to a meeting place in the midst of the country, lying on the river side, called Bellintone, and their to receive the lairds commands.

Upon the south side of the river, opposite to Craig Ilachie, lyeth the parish of Rothemurcus. Rothemurcus, which contains six dauchs of land, each dauch being four ploughs. This parish is in a crook, and a pendicle of the parish of Duthell. It holds of the regality of Spynie: it belongs to Patrick Grant, a cadet of Grants family; but formerly it did belong to the Schaws, who yet possess the parish, Alexander The Schaws. Schaw of Dell being the head of the tribe. The Schaws are able fighting men, and acknowledge MacIntosh to be their chieftain, and go under his banner. The Schaws killed the Cumins that dwelt here, who built a castle in the midst of a great loch called Loch Iland. This castle is useful to the country, in time of Loch Iland, troubles or wars; for the people put in their goods and children here, and it is with the castle easily defended, being environed with steep hills and craigs on each side, except in the midst thereof. towards the east. There is, in the body of the parish, a great firr wood of two A firr wood, miles of length, but very broad in respect it runneth up into many burnes. Here saw-mill, and is a saw mill, a great forest with deer and roe, which marcheth with the forest of forest. Marr to the south.

Upon the north side of the river, opposite to Rothemurcus, beginning at Craig Duthell. Ilachie, lyeth the parish of Duthell, or lordship of Glenchernick, which formerly belonged to the Cumins, but now to the laird of Grant, having married Beglit

side of Aven, upon a rising ground amidst the corn land of Bellaviller, is such another place, where several long broad stones encompass about seventy-two square yards of ground: some of the long stones are broken, but several of them still stand whole. Such another temple there is in the lower end of Glenlivet, on the east side of Aven, upon a hillock, or small rising ground, a little below the mouth of Livet, called The Doun of Dilmore." (The Statistical Account of Scotland, vol. xiii., pp. 42, 43.) "Rude stone coffins have occasionally been discovered in the parish, under cairns removed to make way for the plough; and in trenching a wood on the farm of Kilmaichlie, the labourers found some old arms and coins. Numerous traces of Druidical temples are to be found." (The New Statistical Account of Scotland, number xi., pp. 132, 133.)]

<sup>1</sup> [From Sir Robert Sibbald's Collections, MSS. Adv. Bibl.]

<sup>2</sup> [G. Buchanani Rerum Scotie. Hist. lib. vii. cap. xx.]

- Cumin, heir to lord Alexander Cumin, by whom he got this estate. This parish and parsonage is within the diocese of Murray, and sheriffdom thereof. It runneth
- Dullan water. five miles under the hills, from Craig Ilachie till ye come to the water of Dullan. This water is on both sides habitable, of ten miles of length, being a pleasant water, good corn land, excellent meadows, good pasturage on both sides. There
- Kipper. comes no salmon in this water, but extraordinary much kipper, that is salmon in the forbidden time, which are in such abundance that a gentleman thinks nothing to kill two hundred and sixty in a night. They use to feast the sheriff and to escape the fine; but the commonalty pay some little thing. About the middle of the
- Firr woods. water, and at the head thereof, there are great firr woods on both sides, replenished with deer and roe: much timber from thence transported to Inverness. There is here two miles mounth, which divideth this countrey from Strath Earn to the north-west, called Kairne Lair Bane.
- Duthell kirk. About the middle of the river standeth the kirk of Duthell, a large church, but a poor provision, as all the churches of this countrey of Strathspey have, not exceeding five hundred merks Scots for each minister, who serveth at two churches, and some of them having seven miles between their kirks; and in the
- Bands of the kirk doors. whole world there are not worse paid ministers, and more neglected. The bands of the kirk doors are very rare, made after the manner of a tree casting out its branches, and covering the whole door after the manner of needlework.
- Gentlemens houses. There are several gentlemens houses here of the name of Grant, given to hospitality and frugality. The chief family here is that of the Clan Donichie, Mr. James
- The women vertuous. Grant of Delvers, advocate, being the head of their tribe. The women here are vertuous, much given to the making of cloth, by which they yearly enrich their husbands with money.
- At the foot of the water of Dullan, standeth the castle of Muckrach, belonging to the laird of Grant.
- From Duthell eastwards there is a great forrest belonging to His Majesty,
- The Leanach. called The Leanach, which formerly was well replenished with deer and roe, but much neglected by reason that they pasture much cattel there, which brings in money to the laird of Calder, who is forester.
- Lochin Dirb, with its castle. In this mounth is the famous loch called Lochin Dirb, two miles in length, where there is a castle that has been very great: one of the Cumins strengths. Here the Cumins lady was besieged by King Robert Bruce, the sconses being yet extant, till Edward Langshanks came and raised the siege.
- The mounth. This mounth on the south hath Strathspey, on the north Strath Earn, on the east Bray Moray, being very long. In the narrowest part it is eight miles of breadth, and runneth till it come to Lochaber, forty miles.
- Opposite to the parish of Duthell, that part of it which lyeth on the river Spey,

on the other side of the river, lyeth the parish of Kincharden, anciently possessed by the Stewarts, who had their charter from King Robert Bruce, but, being wrested from them by Conadge, it now belongeth to Huntly. Kincharden.

Above this parish lyeth The Glenmore, where is a great firr wood, with much birch. Here is a great loch, out of which runneth a water which runneth through Rothemurcus, called Druie, and runneth into the Spey. They use to bring down their timber on this water. Here is the famous hill called Kairne Gorum, which is four miles high. Here, it is said, there are minerals; for gold hath been found here. This hill aboundeth with excellent crystall: much deer and roe here. The people of this parish much neglect labouring, being addicted to the wood, which leaves them poor. There is much talking of a spirit, called Ly Erg, that frequents The Glenmore. He appears with a red hand, in the habit of a souldier, and challenges men to fight with him; as lately in the year sixty-nine he fought with three brothers, one after another, who immediately dyed thereafter.<sup>1</sup> Glen More. Kairne Gorum. Minerals. Chrystall. Deer and roe. Ly Erg.

Opposite to Kincharden lyeth the parish of Inver Ellon, belonging to the laird of Grant. The chief family here is that of the Clan Phadrike; Tullochcorume being the head of that tribe, of the name of Grant. In old there frequented this family a spirit called Meg Mulloch.<sup>1</sup> It appeared like a little boy; and in dark nights would hold a candle before the goodman, and show him the way home; and if the goodwife would not come to bed, it would cast her in beyond him; and if she refused to bring what he desired, it would cast it before him. Excellent corns here. Inver Ellon. Meg Mulloch.

Opposite to Inver Ellon lyeth the parish of Abernethie. Here is a great firr wood, twenty four miles in compass, belonging to Grant, with an old castle, built by the Red Friars. The chief family here is that of the Clan Allan; Achernick being the head of that family. Excellent meadows here on the river side, and good corn land. Several good gentlemens houses, given to hospitality, on the water of Nethie, which runneth through the parish. This water aboundeth with kipper. Abernethie.

Beneath Abernethie, lyeth the parish of Cromdell. The lands here in ancient Cromdell.

<sup>1</sup> ["Apparitions were everywhere talked of and believed. Particular families were said to be haunted by certain demons, the good or bad geniuses of these families: such as, on Speyside, the family of Rothemurchus, by *Bodach an Dun, id est*, the ghost of the dune; the baron of Kinchardine's family, by *Red Hand*, or a ghost one of whose hands was blood red; Gartinbeg, by *Bodach Gartin*; Glenlochic, by *Brownie*; Tullochgorm, by *Maag Moulach, id est*, one with the left hand all over hairy. I find in the synod records of Moray frequent orders to the presbyteries of Aberlaure and Abernethie to enquire into the truth of *Maag Moulach's* appearing; but they could make no discovery, only that one or two men declared that they once saw, in the evening, a young girl whose left hand was all hairy, and who instantly disappeared." (Shaw's History of the Province of Moray, p. 306.) See also Sir Walter Scott's Marmion, cant. iv., st. xxii., and note.]

- times belonged to the Nairns, but now to Grant. This parish is exceeding good land, and lyeth on both sides of the river. Much salmon taken here. Here is
- Bella castle. Bella castle, the lairds chief residence, a stately house, with parks about the same: great grassings.
- Beneath Cromdell, on the south side, lyeth the house and land of Delvey, in a crook of the river. Good land, *etc.* And next thereto lyeth the land of Advi.
- Bellindalloch. Next to it is the water of Aven, whereon standeth the castle of Bellindalloch. This water of Aven hath woods on both sides; and four miles above this castle
- Glenlivet. the water divideth into two, the one half coming through Glenlivet, an excellent country for corns and pasturage; and it lyeth towards the south-east, where are the castles of Blairphine and Drummie. Towards the south-west lyeth the country
- Strathdown. of Strathdown: a good high country for corns, pasturage, woods, deer, and roe. The people here are more rude than in any other place or water side that runneth into Spey. Generally, both in this country and Glenlivet, they have fallen to popery. The countreys abound with all necessaries for the use of man: they are within Bamffshire.
- Inver Aven. On the south side of the river lyeth the church of Inver Aven, being the chancellor seat of Murray. This parish is within Bamffshire, and diocese of Murray.
- Knockando. Opposite to it is the parish of Knockando, belonging to the laird of Grant. It is five miles of length on the north side of the river, being good land; and a great mounth that divideth it from Murray land. There are several gentlemens houses here: the people civil. Here endeth the Irish language.

Conventio de Strathouen .<sup>1</sup> (A.D. 1187—A.D. 1203.)

Sciant presentes et futuri quod hec est conventio facta inter dominum  
 . R . episcopum Moraviensem et Duncanum comitem de Fif . scilicet quod

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 12.]

The church of St. Peter of Strathouen was erected into a prebend of the cathedral church of the Holy Trinity at Spyny, by Bricius bishop of Murray, between the year 1208 and the year 1214: "quinta canonica ecclesia Sancti Petri de Strathouen cum capellis suis et una dauacha terre et cum aliis justis pertinentiis suis . et ecclesia de Hurchard ultra Inuernys cum omnibus justis pertinentiis suis . " (Registrum Episcopatus Moraviensis, pp. 40—43.) The erection was confirmed by Pope Innocent III. on the twenty-second of December, 1214. (*Id.* pp. 43, 44.) By the constitutions of Bishop Andrew de Moravia, enacted in a synod of his clergy held at Elgin in the church of St. Giles the Abbot, on the fifth of May 1226, the prebend of Strathouen was assigned to the chancellor of the diocese: "ita tamen ut prebenda de Strathouen juxta quod de consilio et consensu capituli nostri est provisum et statutum sit perpetua canonica ad cancellariam pertinens . " (*Id.* pp. 73—76, 90—94.) The duties of the office of chan-



predictus Comes et heredes sui tenebunt de predicto Episcopo terras suas quas habet in Strathouen dimidias dauachas . in vita predicti Episcopi . Inueraldem . Duninbride . Letheni . Michel . Neuechincrist . Tulachtarum . Donenald . Kyref . Martin . Fithelmore . Abberbrandolthin . Brenin . Daskinnuchel . cum omnibus rectis divisis suis . reddendo annuatim predicto Episcopo pro unaquaque dimidia dauach duos solidos dimidietatem ad Pentecostem et dimidietatem ad Festum Sancti Martini . Et preterea prefatus Comes et heredes sui tenebunt de predicto Episcopo in vita sua duas dimidias dauachas de Inuerouen post decessum Bricii persone . reddendo annuatim . iiij<sup>or</sup> . solidos ad terminos predictos . Preterea predictus Comes et heredes sui tenebunt de predicto Episcopo in vita sua Adaui cum omnibus rectis divisis suis . reddendo annuatim . xl . petras casei ad Festum Sancti Martini . Et Episcopus abducet homines suos qui presentes fuerunt in die conventionis in terra illa quocunque voluerit . Alios vero homines qui naturales sunt ad terras predictas quos Episcopus non diracionavit adquiret predictus Comes consilio et auxilio Episcopi ad prefatas terras inhabitandas . Et predictus Comes et heredes sui tenebunt plenam curiam de domino Episcopo in predictis terris . et forinsecum seruitium domini Regis de terris illis plenarie facient . Testibus Henrico abbate de Abberdrodoch . R . abbate de Scona . Arnaldo abbate de Cupre . Wice abbate de Lundors . G . Auenel . Willelmo Cumin . Willelmo de Haia . Hugone de Moravia . Willelmo de Rameseia . A .

cellor are minutely described in the same register, pp. 57, 58, 270. The chancellor of Murray was bound to find a priest to serve as his vicar in the cathedral church at Elgin. (*Id.* pp. 94, 361, xviii.) Andrew is chancellor of Murray between the years 1203 and 1224. (*Id.*, pp. 16, 60.) William is chancellor of Murray in the year 1232. (*Id.*, pp. 89, 96.) He subscribes the constitutions of Bishop Andrew de Moravia between the years 1224 and 1248: "ego Willelmus cancellarius Moraviensis subscribo . " (*Id.*, pp. 94, 97, 107, 110, 133, 275, 277.) William of Creswell was chancellor of Murray in the year 1294. (*Id.*, pp. 144, 145.) In the year 1345 John of Inuernys was chancellor of Murray, (*Id.*, p. 157) and in the year 1351. (*Id.*, pp. 297, 298.) Henry of Pluscardine was chancellor of Murray in the year 1391. (*Id.*, p. 128.) Alexander Stewart was chancellor of Murray in the year 1473 (*Id.*, p. 256); in the year 1487 (*Id.*, pp. 257, 259); and in the year 1489. (*Id.*, p. 262.) William Gordon was chancellor from 1541 to 1543; James Gordon, from 1547 to 1557; Robert Gordon, from 1566 to 1571. (*Id.*, pp. xxiii, xxiv.) There was preserved, until the end of the last century, in the library of the Scots College at Paris, a manuscript Missal, which, says Father Thomas Innes, "had belonged to Mr. James Gordon, the last chancellor of the church of Murray, and in that quality the last catholic pastor of St. Peter of Inerawin, which was the parish where I served in Scotland three years." (The Miscellany of the Spalding Club, vol. ii. p. 366.)

de Syreis . Lamberto capellano . H . fratre Episcopi . Nesso de Rameseia . Willelmo filio Duncani .

Concessio Ricardi episcopi de ecclesia de Inuerhouen .<sup>1</sup> (A.D. 1187—A.D. 1203.)

Omnibus sancte matris ecclesie filiis ad quos iste litere pervenerint Ricardus Dei gratia Moraviensis episcopus salutem . Noverit universitas vestra nos dedisse et concessisse Andree presbytero de Brechyn ecclesiam de Inuerhouen in liberam et puram elemosinam cum omnibus suis justis pertinentiis . et eum in eadem ecclesia pontificali auctoritate personaliter instituisse . Quare volumus ut prefatus Andreas teneat memoratam ecclesiam adeo plenarie . quiete et honorifice sicut aliquis alius clericus in toto episcopatu nostro aliquam ecclesiam ex nostra donatione liberius . plenius et honorificentius tenet et possidet . Salvis in omnibus episcopalibus rectitudinibus et consuetudinibus . Ut autem hec nostra donatio et concessio firma constet in posterum . eam presentis scripti patrocinio communimus . et sigilli nostri appositione roboravimus . Testibus Gillecryst' comite de Marr . magistro Roberto archidiacono . Macbeth Macferkar . Lamberto . Galfrido capellanis . Hugone . Henrico . Ricardo clericis Episcopi . Bricio decano . et multis aliis .

Collatio Malcolmi comitis de Fyff de ecclesia de Inuerhouen .<sup>2</sup> (A.D. 1206—A.D. 1223.)

Universis sancte matris ecclesie filiis Malcolmus comes de Fyf salutem . Sciant presentes et futuri me dedisse et concessisse et hac presenti carta mea confirmasse Deo et episcopatu Moraviensi ecclesiam beati Petri de Inuerhouen cum una dauacha terre ad eam juste pertinente in Inuerhouen quam Bricius tenuit . et cum omni parochia tocius Strathouen . cum decimis et oblationibus et omnibus aliis justis pertinentiis . in liberam puram et perpetuam elemosinam . pro salute anime mee et animarum omnium antecessorum et successorum meorum . Quare volo quod Bricius Moraviensis episcopus et successores sui et episcopatus Moraviensis predictam ecclesiam de Inuerhouen cum predicta dauacha terre et cum omnibus aliis justis pertinentiis suis ita libere quiete plenarie et honorifice in perpetuam teneant elemosinam et possideant sicut aliquam aliam ecclesiam in episco-

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, p. 38.]

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, pp. 58, 59.]

patu Moraviensi liberius quietius plenius et honorificentius tenent et possident . Salvo servitio domini Regis pro predicta dauacha si quid servitium inde habere debeat . Testibus Duncano et David fratribus meis . Thoma de Kenmaron . Willelmo de Vyuilla . Malcolmo de Malavilla . Marco de Mortimer . Waltero capellano . Willelmo filio Duncani . Malotheny Macmadethy . Willelmo de Aton . Elysaunt mac Gyllebride . Alexandro de Blar . Henrico de Abyrnythy . et multis aliis .

Quieta clamatio Malcolmi comitis de Fyff de terra de Adwyn .<sup>1</sup> (A.D. 1224—A.D. 1242.)

Sciant omnes ad quos presens scriptum pervenerit quod cum inter nobilem virum Malcolmum comitem de Fyf ex parte una et Andream episcopum Moraviensem et capitulum ejusdem ex alia questio verteretur super terris quibusdam propriis vocabulis inferius expressis . videlicet . Adauyn . Inueraldeny . Dunyn . Brydeletheny . Mychel . Newyn . Crist' . Tulacharum . Douenald . Kynnef . Martyn . Fyskelmor . Abyrbradalum . Brenyn . Doaskyn . Mychel . tandem pro bono pacis inter partes ita convenit quod predictus Comes pro se et heredibus suis liti renunciavit in perpetuum . et mense episcopatus Moraviensis quietam clamavit totam terram de Adauyn per suas rectas divisas et cum omnibus justis pertinentiis suis . et terram ecclesie de Inuerouen cum jure quod se dicebat habere in advocacy ecclesie ejusdem loci per suas rectas divisas et cum omnibus justis pertinentiis suis similiter quietam clamavit pro se et heredibus suis in perpetuum . promittentes fideliter quod si predicta ecclesia predictae terre rectas divisas tempore hujus compositionis inite plene non habuerit eisdem divisis faciet eam plene gaudere per visum legalium et proborum virorum . Idem etiam Comes ex mera liberalitate sua contulit jus patronatus ecclesie de Cromdole predicto Episcopo et successoribus suis in perpetuum . Predictus vero Episcopus et capitulum ejusdem predicto Comiti et heredibus suis pro se et sibi in posterum successuris quietas clamavit in perpetuum omnes terras alias suis nominibus designatas superius . liti super illis aliis terris mote pariter et movende finaliter renunciando . predicto Comite renunciante pro se et heredibus suis in perpetuum liti mote et movende super omnibus superius scriptis et ab eo quiete clamatis . Convenit etiam quod omne impetratum vel impetrandum . omne habitum vel habendum

<sup>1</sup> [From the Registrum Episcopatus Moraviensis, pp. 68, 69.]

quod huic compositioni in aliquo possit derogare pro nullo omnino cassoque habeatur . In premissorum autem firmum et indubitabile testimonium ei parti hujus scripture in modum cyrographi confecte que penes predictum Comitem et heredes suos est remansura apposita sunt sigilla autentica predictorum Episcopi et capituli . illi vero parti que penes Episcopum eundem et capitulum et successuros eisdem residebit appensum est autenticum sigillum predicti Comitis . Testibus Thoma priore de Urchard . David filio comitis . Willelmo de Blare . Elia de Kynnymund . Ada Gurmund . Waltero de Moravia . Alexandro vicecomite de Elgyn . Henrico fratre ejus . magistro Andrea de Elgyn . T . rectore ecclesie de Lamanbride . Roberto et Willelmo decanis de Inuernys et de Strathbolgyn . Radulpho rectore ecclesie de Elechin . et multis aliis . Ego Andreas Moraviensis episcopus subscribo . Ego Ricardus precentor Moraviensis subscribo . Ego Henricus thesaurarius Moraviensis subscribo . Ego Hugo archidiaconus Moraviensis subscribo . Ego Adam subdecanus Moraviensis subscribo . Ego Lambertus succentor Moraviensis subscribo . Ego Willelmus canonicus Moraviensis subscribo . Ego Edwardus canonicus Moraviensis subscribo . Ego Robertus de Duffus canonicus Moraviensis subscribo . Ego Robertus canonicus Moraviensis subscribo .

Carta Alexandri Senescalli militis de terris de Strathovne . <sup>1</sup> (A.D. 1371.)

Robertus Dei gracia Rex Scottorum / omnibus probis hominibus tocius terre sue Salutem / Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto filio nostro Alexandro Senescalli militi quod post decessum nostrum habeat totum jus et proprietatem quod et quam habemus in terris de Strathowyn . cum pertinentiis infra vicecomitatum de Banff . nos contingens et contingentem tam causa releuij quam alias qualitercunque . Tenendum et habendum dicto Alexandro et heredibus suis . de corpore suo legitime procreandis . in feodo et in hereditate cum omnibus et singulis libertatibus commoditatibus aysiamentis et iustis pertinenciis quibuscunque ad dictum ius et proprietatem spectantibus seu quoquomodo spectare valentibus infuturum quiete plenarie integre et

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 128.

In a roll of missing charters by King Robert I. is "Carta Malcolmi comitis de Lennox, terrarum de Strathovne, per forisfacturam Davidis de Strabogie, militis, dudum comitis Atholie, tempore quo Duncanus comes de Fyfe fuit contra pacem nostram." (Robertson's Index to the Charters, p. 17.)]

in pace / In cuius rei testimonium presenti carte nostre sigillum nostrum apponi fecimus . Testibus venerabilibus in Xpo patribus Willelmo et Patricio Sancti Andree et Brechinensis ecclesiarum episcopis . Johanne primogenito nostro comite de Carrik et senescallo Scocie . Thoma comite de Marre . Willelmo comite de Dowglas . consanguineis nostris . Roberto comite de Meneteth filio nostro . Johanne de Carryk canonico Glasguensi cancellario nostro . Alexandro de Lyndesay . Roberto de Erskyn militibus consanguineis nostris . Apud Edynburgh . xvij<sup>o</sup> die mensis Junij anno regni nostri Primo .

Carta domini Alexandri Senescalli . domini de Badenache . <sup>1</sup> (A. D. 1377.)

Robertus [Dei gracia Rex Scottorum] . Omnibus *etc* . Sciatis nos dedisse *etc* . carissimo filio nostro . Alexandro Senescalli domino de Badenache militi . duas dauatas terre de Inuercabok cum pertinentiis in baronia de Strathowne infra vicecomitatum de Banff / que fuerunt Alexandri del Arde . et quas idem Alexander non vi aut metu ductus nec errore lapsus / set mera et spontanea voluntate sua nobis sursum reddidit et resignauit . Tenendas et habendas dicto Alexandro heredibus suis et suis assignatis de nobis et heredibus nostris in feodo et hereditate . libere et quiete . Reddendo inde nobis et heredibus nostris dictus Alexander heredes sui et sui assignati / vnum par calcarium deauratorum ad Festum Pentecostes nomine albe firme tantum pro warda releuijs maritagio et seruiciis quibuscunque . In cuius rei *etc* . Testibus *etc* . Apud Methfen . nono die Februarii . anno regni nostri . Sexto .

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 135.

In a roll of missing charters by King Robert I. is "Carta Alexandri Mowbray, of the daniache of land of Inuercabok and Lykeuyne in Strathawn." (Robertson's Index to the Charters, p. 2.)]

## IN THE PRESBYTERY OF ABERNETHY.

## THE PARISH OF KIRKMICHAEL.

THE PARISH OF KIRKMICHAEL.<sup>1</sup> A.D. M.DCC.LXXV.

HIS parish is in the shire of Banff. This glen and strath was a part of the estate of M'Duff Earl of Fife in the thirteenth century ; and was, *anno* M.CCC.LXXXIX., June XXII., resigned by Isabel M'Duff, heiress, in the hands of King Robert III. *in perpetuum remanentiam*. (*Shene de Verborum Significatione, titulo Arage.*) It came afterwards to Alexander Lord Badenoch and Earl of Buchan, who left issue only three bastard sons, *videlicet*, Alexander (Earl of Marr in right of his wife), Sir Andrew of Sandhaugh, and Walter of Kinchardin. Sir Walter of Strathavon (son of Sir Andrew) sold Strathavon, except Kilmachlie and Drummin, to Alexander Earl of Huntly, who disposed it to his son Alexander, and he exchanged it for the barony of Clunie. Again, George Earl of Huntley, who died *anno* M.D.LXXVI., gave Strathavon to his son Alexander, whose son, Alexander Gordon of Dunkintie, sold Strathavon to his cousin George Earl of Huntley. Since that time, all this parish (except the davack of Delnaboe) holds of Huntley in property or superiority.<sup>2</sup>

It is all environed with hills, except a small opening towards Inveravon, and extends in length, on both sides of the river, from north-east to south-west, seven miles : and, about the middle of the parish, the rivulet Conglas (which riseth in the hills towards the river Don), after a course of seven or eight miles, falleth into Avon ; and here the breadth of the parish is three miles.

The church standeth on the east bank of Avon, two miles above the lower end of the parish, six miles south-west of Inveravon, four miles east of Cromdale, and five miles east-north-east of Abernethie. It was a parsonage dedicated to Michael the Archangel.<sup>3</sup> The laird of Grant is patron. At Camdale, in the upper end

<sup>1</sup> [From Shaw's History of the Province of Moray, pp. 32, 33, 331.]

<sup>2</sup> ["The parish of Kirkmichael is divided into ten little districts, called davochs. One of these belongs to Sir James Grant ; the other nine are the property of the Duke of Gordon." (The Statistical Account of Scotland, vol xii., pp. 426, 427. Edinb. 1794.)]

<sup>3</sup> ["The parish derives its ecclesiastical name from St. Michael, to whom the chapel,

of the parish, was a chapel of ease, dedicated to St. Brigida or Bryde. The stipend is eight hundred merks, and fifty merks for communion elements. There is no legal school. The examinable persons are about a thousand, whereof two hundred are Roman Catholics. The Protestant ministers are : Mr. Peter Grant, minister at Kirk-Michael and Cromdale about M.DC. : Mr. John Ray succeeded, and was transported to Dundurros in M.DC.LI. : Mr. Alexander Gordon, ordained in M.DC.LI., died in M.DC.LXXXIV. : Mr. Colin Nicholson, from Abernethy, admitted in M.DC.LXXXV., died on the twenty-fifth of September, M.DCC.IX. : Mr. Duncan MacLea, ordained in September, M.DCC.XII., transported to Doull in M.DCC.XVII. : Mr. David Muschet, ordained in M.DCC.XVIII., died in M.DCC.XXIV. : Mr. George Grant, ordained on the twenty-first of September, M.DCC.XXV., died on the twenty-seventh of April, M.DCC.LXXII. : Mr. Robert Farquharson, ordained on the fourth of October, M.DCC.LXXII.

On the west side of the river, at the foot of Cromdale hill, are, from north to south, the lands of Inveraurie, Inverlochie, and Forletter, the property of the Duke of Gordon.

Above these, on the banks of the river, is Delnaboe, for some generations the heritage of a branch of the Clan Allan, but now the property of Sir James Grant of Grant.

Above Delnaboe, on both sides of the river, are Achnahyle, once a mortgage of James Grant, brother to Easter Elchies ; Dellavorar, for three generations the wadset of a branch of the M'Gregors ; and Gavelack. These, and some other possessions, are now wadsetted by William Gordon, grandson to Glenbucket.

Above Gavelack, Glenavon runneth into the Grampian hills about twelve miles, and is a rich pasture for cattle, and a forrest for red deer.

where now the kirk stands, was anciently dedicated. Near the kirk there is a fountain, once highly celebrated, and anciently dedicated to St. Michael. It now lies neglected, choked with weeds, unhonoured and unfrequented. In better days the winged guardian, under the semblance of a fly, was never absent from his duty. If the matron wished to know the issue of her husband's ailment, or the maiden that of her lover, they visited the well of St. Michael. Every movement of the sympathetic fly was regarded in silent awe ; and as he appeared cheerful or dejected the votaries drew their presages." (*The Statistical Account of Scotland*, vol. xii., pp. 425, 464, 465.) "On the summit of a hill called Mealaghaneimb, is a stone called Clachbhan (from clach, a stone, and bean, a woman). On one side it measures twenty feet : on the other side it is lower and of a sloping form. In face of it, two seats have been excavated, resembling that of an armed chair. Till of late, this stone used to be visited by pregnant women, not only of this, but from distant countries, impressed with the belief that, by sitting in these seats, the pains of travail would become easy to them." (*Id.*, p. 429.)]

On the east side of the river, below the church, is Dell: above the church is Ruthven-Camdale, where, in M.DCC.LIV., a bridge of three arches was built over the river on the military road.

Next is Cromdale Bhrìd, or Brigida's Camdale.

And on Conglas rivulet are several possessions, particularly Achriachan, which, for about two hundred years, was the inheritance of a branch of the Farquharsons, but is now the property of the Duke of Gordon.

Decreitt of the lordis of consale for the infestment of Inrowreyis and Inuerlochys . <sup>1</sup> (22 October 1495.)

In the actioun and cause persewit be Alexander lord Gordoune on the aparte aganis Johne the Grant of Fruchy on the tothirparte for the wrangwis detencioun and withalding fra the said Alexander of the soume of sex hundreth merkis vsuale money of Scotlande clamit be him of the said Johne because he has nocht infest the said Alexander lord Gordoune nor maid him to be infest heretabeley in the twa landis and tovnys off Inrowreyis and Inuerlochys liand uithin the schirefdome of Banff and in the landis off Fochillater with thair pertinentis liand within the schirefdome of Inuernis also frely as euer Johne Narne broikyt and joysit the sammyn landis with thare pertinentis in ony time bigain The quhilk infestment suld haff been maid before the terme of Sanct Mertyne in wynter last bipast and is failyeit in the said Johnis defalt as is allegiit / The said Johne the Grant beand lauchfully summond oft tymmes callit and nocht comperit The said Alexander lord Gordoune beand personaly present his richtis ressonis and allegaciounis at lenth sene hard and vnderstandin / The lordis of consale beand tharewitht riply avisit decrettis and deliueris that the said Johne the Grant sall withtin . xl . dais nixt eftir he be chargeit infest the said Alexander lord Gordoune or mak him to be infest heretabeley in the saidis twa landis and tovnys of Inrowreis and Inuerlochys and in the landis of Fochillater with thare pertinentis also frely as the predecessouris of the said Johne the Narne broikit the sammyn efter the forme of his band and contract in forme of instrument vndir thre notaris schewin

<sup>1</sup> [From the *Acta Dominorum Concilii*, p. 398; Robertson's *Parliamentary Records of Scotland*, p. 466.]



and productit before the lordis The quhilk . xl . dais beand bipast and the said infeftment nocht maid as said is the lordis ordinis that lettrez be writtin to distrenye the said Johnne the Grant his landis and gudis for the said somme of sex hundreth merkis and to mak the said Alexander lord Gordoune be pait tharof eftir the tenor of the said instrument .

Tulloch aganis Schir Walter Stewart of Straithoun .<sup>1</sup> (5 February 1492-3.)

The lordis of consale assignis to Alexander Tulloch the . xv . day of April nixt tocum with continiatioune of dais to preif sufficiently that Walter Stewart of Straithoun knyght is awand to the said Alexander as are to vmquhile his faider the soume of . ij<sup>e</sup> . merkis And also to preif sufficiently that Mergrete laidy Dvn and Jonet Ogilby laidy Leis is awand him a croce of gold with a precious stane callit a ruby and . vij . orient perle with a pece of bane of Sanct Magnis hed and the price tharof / And ordinis him to haf letrez to summond his witnes and the partij to here thaim sworne .

<sup>1</sup> [From the *Acta Dominorum Concilii*, p. 278.

The King's chamberlain of Marr, in the year 1438, takes credit for a payment made by him for driving the King's brood horses from Strathawn to Strathdon: "et quinque hominibus Walteri Stewart de Strathowne agitancium vndecim equos indomitos a Strathowne vague . Inuernochty . v . solidi ." (The Chamberlain Rolls of Scotland, vol. iii. p. 387. Edinb. 1817-45.)]

## IN THE PRESBYTERY OF TURREFF.

## THE PARISH OF ALVATH.

A DESCRIPTION OF THE PARISH OF ALVA. BY MR. WILLIAM OGILVY, A.D.  
M.DCC.XXII.<sup>1</sup>



LVA parish bordereth on the south with Marnoch parish; and on the south-east with the parish of Forglen; and on the north-east with Banff.

The church stands half a mile from Deveron water to the eastward; and a myle from the church, to the east-south-east, stands a dwelling, now almost demolished, called Auchinbaidy,<sup>2</sup> of the name of Mortimer, now belonging to Mr. Andrew Hay of Mountblair; whose dwelling house Mountblair, stands just on Deveron water, two miles from the church, south-east.

Opposite to the same, standeth a dwelling, called Dunlugus, on the other side of the water of Deveron: a little distance from it, to the east, in the parish of

<sup>1</sup> [From Macfarlane's Geographical Collections for Scotland, MSS. Adv. Bibl.]

<sup>2</sup> ["There is on the farm of Auchonbadie an apparently artificial mound of earth, nearly fifty feet high: it is known by the name of 'The Ha' hill.'"] (The New Statistical Account of Scotland, number xxxviii.. p. 162. Edinb. 1842.)

"Some years ago, a tumulus was opened on the farm of Sandlaw, containing several rudely sculptured vases of baked earth. In a tumulus, on the farm of Boghead, were found several vases of a similar kind, containing ashes: contiguous to this tumulus is a large stone called 'carlin kist.' In digging into a small gravel hillock, near Montblair, a rude stone case or coffin, about four feet square, was discovered, and, on removing the stone which formed the lid, were found ashes and fragments of calcined bones. In digging graves in the churchyard, several vases containing ashes have been found, but differing from others discovered in the parish, in having handles attached, and in being glazed over with a substance resembling the exterior coating of the coarse earthenware of the present day. On the eastern brow of the Hill of Alvah, is a large cairn, chiefly of small stones and earth, of an elliptical form, covering an area of about twenty fells, and in the centre rising to the height of seven or eight feet. Two smaller cairns are to be seen on the Hill of Tippetty and on the farm of Itlaw. On the farm of Boreldalea, there remain four large stones of a Druidical circle; and on the farm of Newton of Montblair, one large stone marks the site where, a few years ago, stood another circle of much larger dimensions. Some time ago,

Alva, and from Mountblairy, to the south-west, one myle, stands a house, called Rosieburn, belonging to the laird of Bogue, Steuart, on a little burn, in which there is plenty of trouts, called Rosieburn.

From Mountblairy, to the south-east, one mile, is an old dwelling, now ruinous, called Bogue of Mountblairy,<sup>1</sup> near Deveron, to the east, where is also an old chappel. From that, on the same water syde of Deveron, south-east, is a dwelling, called Todlae, lately belonging to the name of Mercer, now to Lord Forglen.

The church standeth near a hill, to the south, called Hill of Alva,<sup>2</sup> and at the head of the parish. The church is two myles from Banff.

a Druidical circle was found under ground, in digging deep into an old garden on the farm of Wardend." (The New Statistical Account of Scotland, number xxxviii., pp. 161, 162.)

The Parson of Rothiemay relates how the wars of the Great Rebellion were foretoked, in the year 1638, by "that vision of an army, seen within four myles of Banff, upon the Hill of Manderlee," an eminence which lies on the borders of the parishes of Alvah and Aberchirder. (Gordon's History of Scots Affairs, from MDCXXXVII. to MDCXLI., vol. i., p. 58.) Similar visions, it is yet told by the neighbourhood, preceded the battle of Culloden.

Apparent dirae facies, inimicaque Trojae  
Numina.]

<sup>1</sup> ["At the farm of Bog of Mountblairie are the remains of an old castle, situated in a swamp now overgrown with alder, and said to have been built by the Earl of Buchan; and on the eminence above it are the ruins of a chapel, adjoining to which is a well, famed of old for its sovereign charms, but now fallen into disrepute. Within these few years there was an iron ladle beside it; and many still alive remember to have seen the impending boeghs adorned with rags of linen and woollen garments, and the cistern enriched with farthings and bodles, the offerings of those who came from afar to the fountain." (The Statistical Account of Scotland, vol. iv., p. 399. Edinb. 1792.) "The ruins of the ancient castle which once stood near Montblairy are now levelled with the ground; and the swamp on which it stood has become a fruitful field." (The New Statistical Account of Scotland, number xxxviii., p. 162.)]

<sup>2</sup> [The Hill of Alvah, which rises to a very great height, is thus described by an indigenous poet:

'Erigit ad nubes hic se mons Alvius ingens,  
Ostentatque procul conspicienda juga:  
Hic quoque templa Deum surgunt in monte locata  
Sublimi; surgit Pieridumque domus.'

At the foot of the hill, towards the north, is a spring which passes by the name of Com's, or Colm's Well, in honour, very probably, of the renowned saint of Icolmkill." (The Statistical Account of Scotland, vol. iv., pp. 394, 399.) Cf. The New Statistical Account of Scotland, number xxxviii., pp. 147, 154, 155.]

Charter of the kirk and kirkland of Alveth to the monks of Cupar. <sup>1</sup>  
(A.D. 1315.)

*Charter by Marjory countess of Atholl, widow of John earl of Atholl lord of Strathalveth, with consent of David her son and heir; whereby for the soul's weal of herself, of her departed husband, and of her father Donald earl of Mar, she gives to Almighty God, to the Blessed Virgin Mary, and to the abbot and brethren of the Cistercian monastery of Cupar, the right of patronage of the church of Alveth, with the whole lands of the kirk town of Alveth next the church · videlicet usque ad metam versus villam de Banff que dicitur lie Stanemannishead juxta communam de Banff antedictam ex boreali descendendo in aquam de Dowern cum dicta aqua et piscatione ejusdem ascendendo ad lie Meirburn ex orientali usque ad lie Blackbank et Fowlfurd et inde extendendo ad Knockne ex australi ascendendo rivulum scaturientem de lie Claretwell usque ad viam ascendendo Slakmethy et inde descendendo per viam usque ad Slaklethy descendendo ad fontem et rivulum ejusdem usque ad Redbank et inde ascendendo torrentem fluentem in aquam de Dowern usque ad Ranatehillock et inde ad lie Crukithillock et ad lie Scurryfurd ascendendo ad magnam foueam vulgariter lie Greit Slak et Rishypannis descendendo ad lie Comeswell et inde ad Fontem Sancti Johannis et Bludypottis ad Burgusaet Stanis inter communam de Banff et terram ecclesiasticam de Alveth antedictam ex occidentali partibus · the witnesses to the charter*

<sup>1</sup> [From a MS. note in the possession of the reverend Andrew Todd, minister of the parish of Alvath, where also there is a MS. note of a charter of confirmation of the same grant, by Thomas earl of Mar and lord of Strathalveth.

By a charter dated at Dunkeld on the fifth of October, in the third year of his reign (1308), King Robert I. confirms, among their other possessions, the rights of the abbot and convent of Cupar in the church of Alvath: "etiam de aduocatione ecclesie de Alveth in vicecomitatu de Aberdeen cum tota terra que jacet prope dictam ecclesiam et cum omnibus alijs terris asiamentis et pertinentijs suis quas habent ex dono Mariorie comitisse Atholie relictę quondam Johannis comitis Atholie et confirmatione Daudid filij sui primogeniti et heredis." (Copy, in the charter room at Slaines, of an inspeimus of the original by Sir Gilbert de Hay, Constable of Scotland, dated at Dundee on the Thursday next before the Feast of St. Clement, pope and martyr, in the year 1309.)

On the twenty-seventh of January 1315, being the Monday next after the Feast of the Conversion of St. Paul, Henry bishop of Aberdeen, with consent of his chapter, granted the church of Alvath, with its lands and immunities; to the abbot and convent of Cupar, for the maintenance of divine worship in their monastery, and the relief of its estate, then

*being Matthew and John, bishops of Dunkeld and Brechin; Hugh and John, abbots of Dunfermling and Aberbrothwick; Sir Alexander de Abir-nethy, David de Brichyne, John de Inchmyrtane, Roger Mortimer, Adam de Glenbachlet, John de Cambray, with diverse others: Dated · apud Abirbrothwick die . . . . . post . . . . . Sancti Pauli Apostoli anno Domini m<sup>o</sup> ccc xiv*

Carta confirmationis Dovenaldi comitis de Mar . <sup>1</sup> (A.D. 1329—A.D. 1332.)

Carta Dovenaldi comitis de Mar et domini de Strathalueth . . Deo et Sancte Marie et monachis de Cupro . . pro salute anime bone memorie Domini Gartineti patris mei quondam comitis de Mar . . dedisse et hac presenti carta confirmasse donationem illam quam nobilis domina Marjoria comitiissa Atholie amita nostra . in libera et legitima viduitate sua . eisdem religiosis fecit et carta sua confirmavit . de advocacione seu jure patronatus ecclesie de Alueth in dyocesi Aberdonensi . . sicut carta ejusdem domine cum confirmatione domini David de Strathbolgy filij sui primogeniti et heredis eisdem viris religiosis inde confecta plenius testatur . Testibus Alexandro episcopo Aberdonensi . Johanne episcopo Mora-viensi . domino Johanne Brune milite . David de Mar fratre nostro . et multis alijs .

greatly impoverished by the ravages of war. The monks become bound on their part to cause the cure of souls in the parish to be served by a perpetual vicar, who should be nominated by them and admitted by the Bishop, receiving a yearly pension from the convent of ten pounds sterling, and being provided with a toft, a croft, and a manse, beside the church, and with pasture for his cattle, according to the approved custom of the diocese. The monastery farther undertook to make payment yearly of six merks to a chaplain serving in the cathedral church of Saint Machar at Aberdeen, who should be nominated and admitted to his office by the dean and chapter, the convent building a manse for his residence, and finding him a decent vestment for service in the choir. (*Registrum Episcopatus Aberdonensis*, vol. i., pp. 41—43. Edinb. 1845. Printed for the Spalding Club.)

"Mestre William de Dundee / persone del eglise de Aluyth del counte de Abirdene" swore lealty and homage to King Edward I. of England, on his subjugation of Scotland, in the year 1296. (*The Ragman Rolls*, p. 164. Edinb. 1834.)]

<sup>2</sup> [From notes of the charters of the Abbey of Cupar, in a Collection of Scottish Charters, MS. in the library of Lord Panmure, at Panmure House.]

Confirmacio pro Domino Andrea Senescalli fratre Comitis de Marre milite . <sup>1</sup> (A D. 1411.)

Robertus dux Albanie *etcet* . Omnibus [*etc.*] Sciatis nos approbasse [*etc.*] et auctoritate officii nostri gubernacionis regni [*etc.*] confirmasse donacionem et concessionem illas quas carissimus nepos noster Alexander Senescalli comes de Marre et de Garuiache ac dominus de Duffie in Brancia fecit et concessit per cartam suam sub sigillo suo carissimo fratri suo Andree Senescalli militi . hereditarie de totis et integris terris de Sandhalch cum pertinenciis iacentibus in baronia de Monblary / infra vicecomitatum de Banf . et de totis terris de Tulqwhorsy cum pertinenciis iacentibus in comitatu de Marre infra vicecomitatum de Abirdene . Tenendas [*etc.*] predicto Andree et heredibus de corpore suo legitime procreatis seu procreandis in feodo et hereditate imperpetuum [*etc.*] . Saluo domino nostro Regi et heredibus suis de dictis terris cum pertinenciis seruicio debito et consueto . In cuius rei testimonium presenti carte nostre confirmacionis sigillum officij nostri apponi precepimus . Testibus reuerendo in Xpo patre Gilberto episcopo Abirdonensi cancellario Scocie . Roberto Senescalli de Fyfe nepote nostro carissimo . Johanne Senescalli domino de Buchane filio nostro dilecto . Johanne Senescalli domino de Loorne milite . Dauid Berclay . Waltero de Curry . et Andrea de Hawyc rectore de Listone secretario nostro . Apud Edynburghe xvij<sup>o</sup> die mensis Marcij anno Domini [ millesimo . cccc . ] decimo . Et gubernacionis nostre quinto .

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, p. 250.]

In a roll of missing charters by King David II. is "Carta to Thomas Hill, of the lands of Sandhaugh and half of Auchinbedy, given by Thomas Earl of Marr, in vicecomitatu de Banff." (Robertson's Index to the Charters, p. 62.)

In a roll of charters by King Robert III. is "Carta by Isabell countess of Marr, called Douglas, to Alexander Stewart, son to Alexander earl of Buchan, of the earldom of Mar and Castell drummy, of the lordship of Garviauch, with the advocation of the kirks pertaining thereto, the barony of Strathalvecht, in vicecomitatu de Banff, the barony of Cremond, in Buchan, i<sup>e</sup> merks furth of the customs of Haddington, the forest of Jedworth, and part of the barony of Cavers." (Robertson's Index to the Charters, p. 147.) See also Lord Hailes' Additional Sutherland Case, ch. v., § 11., pp. 46, 47; Miscellany of the Maitland Club, vol. i., part i., p. 368. Edinb. 1834.]

Carta domini Jacobi Stewart militis de terris de Strathalwa et Downe . <sup>1</sup>  
(A.D. 1467.)

Jacobus Dei gracia Rex Scotorum . Omnibus [etc.] Sciatis nos dedisse [etc.] dilecto aunculo nostro Jacobo Stewart militi et Margarete de Ogilvy sponse sue / filie dilecti nostri Alexandri de Ogilvy de Vchtirhous / et eorum alteri diucius viuenti . totas et integras terras baroniarum de Strathalwa et Downe vnacum castro de Banffe et piscatura aque de Doverne cum pertinenciis infra vicecomitatum nostrum de Banffe . necnon terras domini de Grandoun Fodirlettir et Alathane cum pertinenciis jacentes infra vicecomitatum nostrum de Abirdene . Quequidem terre [etc.] fuerunt dicti Alexandri de Ogilvy de Vchtirhouse hereditarie et quas terras [etc.] predictus idem Alexander [etc.] sua mera et spontanea voluntate in manus nostras apud Edinburghe coram subscriptis testibus personaliter per fustem et baculum sursum reddidit pureque simpliciter resignauit [etc.] . Tenendas et habendas totas et integras predictas terras [etc.] dictis Jacobo et Margarete sponse sue et eorum alteri diucius viuenti et heredibus inter ipsos legitime procreatis et procreandis quibus forte deficientibus veris legitimis et propinquioribus heredibus dicti Alexandri de Ogilvy quibuscunque de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum [etc.] libere quiete [etc.] . Reseruato libere tenemento omnium dictarum baroniarum domini et terrarum ac castri et piscature predictarum dicto Alexandro pro toto tempore vite sue . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . Testibus reuerendo in Xpo patri Andrea episcopo Glasguensi . dilectis consanguineis nostris Andrea domino Avandaille cancellario nostro . Colino comite de Ergile domino Cambel magistro hospitij nostri . Roberto domino Boide . Jacobo domino Levinstone magno camerario nostro . Roberto domino Lile . magistris Jacobo Lindisay preposito de Lincludane nostri secreti sigilli custode . David Guthre de eodem nostrorum computorum rotulatore . et Archibaldo de Qubitelaw decano de Dunbar secretario nostro apud Edinburgh primo die mensis Marcij anno Domini . m<sup>o</sup> . cccc<sup>mo</sup> . lxxv<sup>o</sup> . et regni nostri septimo .

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, vol. vii. no. 114, MS. in Her Majesty's General Register House at Edinburgh.]

Carta Jacobi comitis Buchanie .<sup>1</sup> (A.D. 1493.)

Jacobus Dei gratia [etc.] Sciatis nos tanquam tutorem et gubernatorem charissimi fratris nostri Johannis comitis de Mar et Garviauch dedisse [etc.] predilecto avunculo nostro Jacobo comiti Buchanie omnes et singulas terras de Sandlauch cum pertinentiis jacentes infra vicecomitatum de Banff . Quequidem terre [etc.] fuerunt Jacobi Stewart de Sandlauch hereditarie et quas idem Jacobus Stewart [etc.] sua mera et spontanea voluntate in manus nostras tanquam in manus tutoris charissimi fratris nostri antedicti apud Edinburghe per fustem et baculum [etc.] simpliciter resignavit [etc.] . Tenendas et habendas omnes et singulas predictas terras de Sandlauch dicto Jacobo comite Buchanie et heredibus suis de dicto charissimo fratre nostro Johanne comite de Marr et Garviauch et suis successoribus comitibus de Marr et Garviauch in feodo et hereditate inperpetuum [etc.] . Faciendo inde annuatim dictus Jacobus comes Buchanie et heredes prefato Johanni comiti de Marr et successoribus suis comitibus de Mar et Garviauch jura et servitia de dictis terris cum pertinentiis ante predictam resignationem debita et consueta . In cujus rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . Testibus reverendis in Christo patribus Willelmo episcopo Aberdonensi nostri secreti sigilli custode / Andrea episcopo Moraviensi . dilectis consanguineis nostris Archibaldo comite Angusie domino Douglas cancellario nostro / Patricio comite de Boithwile domino Halis / Alexandro domino Hume magno camerario nostro / Roberto domino Lile / Johanne domino Glammys . venerabilibus in Christo patribus Henrico abbate de Cambuskyneth thesaurario nostro / Jacobo abbate de Scona / et dilectis clericis nostris magistris Archibaldo Qhytlaw subdecano Glasguensi secretario nostro / et Johanne Fraser decano de Lestallrig nostrorum rotulorum et registri ac concilij clerico . Apud Edinburght vicesimo octavo die mensis Januarij anno Domini millesimo quadringentesimo nonagesimo secundo / et regni nostri quinto .

<sup>1</sup> [From the Earl of Haddington's Collection of Charters, vol. ii., p. 254, MSS. Bibl. Adv.]



Preceptum Domini de Drummond pro saisina terrarum de Dunlugus .<sup>1</sup>  
(A.D. 1511.)

Johannes dominus Drummond dilectis meis Jacobo Mortimer et Johanne Futhes ac eorum cuilibet coniunctim et diuisim balliuis meis [*etc.*] Quia dedi [*etc.*] reuerendo in Christo patri Willelmo Episcopo Abir-donensi cancellario Universitatis Abiridonensis . totas et integras meas terras de Dunlugus et Meredene cum pertinentiis / jacentes infra vicecomitatum de Banff / ad sustentationem unius prebendarii in artibus magistri in theologia studentis et continuo residentis in nouo collegio Uniuersitatis predicte / secundum formam et tenorem carte admortizationis et confirmationis per suppreum dominum nostrum Regem desuper conficiende / pro quadam certa summa pecunie michi per dictum reuerendum patrem [*etc.*] persoluta . de qua teneo me bene contentum [*etc.*] . Vobis igitur et vestrum cuilibet precipio [*etc.*] quatinus [*etc.*] sasinam hereditariam [*etc.*] dictarum terrarum [*etc.*] prefato reuerendo patri [*etc.*] diliberetis [*etc.*] . In cuius rei testimonium sigillum meum proprium presentibus est appensum . Apud Edinburgh vicesimo quarto die mensis Julii anno Domini millesimo quingentesimo undecimo / coram hiis testibus . videlicet . Andrea Elphinston de Selmys . Johanne Drummond filio meo . Waltero Drummond . magistris Alexandro Spittale . Waltero Drummond . et Dauid Grundestoun . cum diuersis aliis testibus .

<sup>1</sup> [From the original in the possession of the Club.

See Evidence taken by the Royal Commissioners on the Universities of Scotland, vol. iv., pp. 143, 144, 152. Lond. 1837. Presented to parliament by command of his Majesty.

On the third of February 1488—9, there was an “ accioune and cause persewit be Johne of Balfoure the sone and are of Dauid Balfoure of Carraldstoune and Elizabeth his spous aganis Robert of Gordoune the sone and are of vmquhile Robert of Gordoune of Dunlugus for the wrangwis detencioune and withhaldin fra them of certane gudis.” (Acta Domini-norum Concilii, p. 105.)

THE PARISH OF INVERKETHNY.<sup>1</sup>Carta medietatis terre de Coneuathe . <sup>2</sup> (A.D. 1366.)

DAUID Dei gracia . Rex Scottorum . Omnibus [etc.] salutem . Sciatis nos dediasse concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro . Johanni de Inuerpefire et Cristiane de Sancto Michaelae sponse sue consanguinee nostre pro ipsius Johannis homagio et seruicio suo . totam medietatem nostram terre de Coneuathe cum pertinenciis infra vicecomitatum de Banf / ac totam medietatem nostram terrarum de duabus Logy Ardachis cum pertinenciis infra vicecomitatum de Abirdene . Tenendas et habendas eisdem Johanni et Cristiane sponse sue et eorum alteri diucius viuenti heredibusque inter ipsos legitime procreatis vel procreandis / de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas cum omnibus et singulis libertatibus commodi-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 650, 652.

"A large burn, which comes through the parishes of Drumblade and Fergie, falls into the river Deveron near the church, from which it is probable the parish derives the name of Inverkeithny. The parish formerly belonged to the synod of Moray and presbytery of Huntly." (The Statistical Account of Scotland, vol. xi., pp. 505, 506. Edinb. 1794.) See Extracts from the Presbytery Book of Strathbogie, A.D. M.DC.XXXI.—A.D. M.DC.LIV., p. 63.

The church of Inuerkethny was erected into a prebend of the cathedral church of Murray, by Bishop Andrew de Moravia, in a synod of his clergy held at Elgin, in the church of Saint Giles the Abbot, on the fifth of May 1226: "tertia est ecclesia de Inuerkethny cum omnibus ad eam iuste pertinentibus." (Registrum Episcopatus Moraviensis, pp. 73—76.) By the constitutions of the same Bishop Andrew, the prebendary of Inverkeithny was required to find a deacon to serve as his vicar in the cathedral church. (*Id.* pp. 94, 361, xviii.) Sir Alexander Caunt or Kant was prebendary of Inuerkethny from the year 1487 to the year 1489. (*Id.*, pp. 257—268.) John Lockart or Lockert was prebendary from 1534 to 1557; Hew Cragy, from 1560 to 1572. (*Id.*, p. xxiii.) In the year 1561, "the personage of Inverkeithny was sett in assedatioun to Alexander Dunbar of Kwynac for auchty pundis yeirlie." (*Id.*, p. xxi.)]

<sup>2</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 43.

As to the thanage of Conwauth, see the Registrum Episcopatus Moraviensis, pp. 319, 320; or above, p. 217; and The Chamberlain Rolls of Scotland, vol. i., pp. 294, 295, 490. Edinb. 1836.

In the time of King Alexander III. (1249—1286), the thanage of Conuath was valued at four score merks, in the rental of the King's lands in the sheriffdom of Banff. (Registrum

tatibus [*etc.*] ita libere quiete integre plenarie et honorifice in omnibus et per omnia . sicut quondam Philipus de Melgdrum miles pater et quondam Andreas de Melgdrum frater predictæ Cristiane dictas terras cum pertinenciis suis temporibus liberius quiccius plenius et honorificencius tenuerunt seu possiderunt . quibus vero heredibus inter predictos Johannem et Cristianam forte deficientibus . volumus quod dicte medietates predictarum terrarum cum pertinenciis ad nos et heredes nostros libere et integre reuertantur . Faciendo inde nobis et heredibus nostris dicti Johannes et Cristiana et eorum alter diucius viuens ac heredes sui supradicti tale seruicium quale dicti quondam Philipus et Andreas pro dictis terris fecerunt dum superstites exstiterunt . In cuius rei *etc.* Testibus *etc.* Apud Munros ultimo die Marci . anno regni nostri Tricesimo Sexto .

Carta de Conwathe pro domino de Badenach . <sup>1</sup> (A.D. 1380.)

Robertus [Dei gracia Rex Scottorum . Omnibus *etc.* . Sciatis nos dedisse *etc.*] dilecto filio nostro Alexandro Senescalli militi domino de Badenach medietatem terrarum de Conwathe cum pertinenciis infra vicecomitatum de Banf / et medietatem terrarum de Logyardache cum pertinenciis infra vicecomitatum de Abirdene / quas terras cum pertinenciis Willelmus de Fordringhay miles non vi aut metu [ductus *etc.* nobis per fustem et baculum sursum reddidit pureque simpliciter resignauit *etc.*] Tenendas et habendas eidem Alexandro heredibus suis et suis assignatis de nobis et heredibus nostris in feodo et hereditate *etc.* Reddendo inde nobis et heredibus nostris [*etc.*] annuatim vnum denarium argenti in villa de Abirdene nomine albe firme *etc.* . In cuius *etc.* Testibus *etc.* . apud Perth xviii<sup>o</sup> die Octobris anno regni nostri ix<sup>o</sup> .

Episcopatus Aberdonensis, vol. i., pp. 55, 160.) In the year 1383, it was found by an inquest held at Aberdeen on the Saturday next after the Feast of the Nativity of the Blessed Virgin, by Sir Robert of Laweder chamberlain of Scotland, and Sir Ralph of Melton his treasurer, that, of the lordship of Conuath, one part was then in the hands of the Earl of Murray, another was in the hands of Sir Archibald of Douglas, and a third in the hands of Sir Walter of Ogilville. (*Id.*, vol. i., p. 58.)]

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 152.

In a roll of missing charters by King David II. are "Carta to William Fradringhay of the half of the lands of Conwathe in vicecomitatu de Banf;" "Carta to William Fordringhay of the lands of Conwathe in vicecomitatu de Banf, and Logyardoche in vicecomitatu de Aberdeen." (Robertson's Index to the Charters, pp. 31, 36.)]

THE PARISH OF FORGUE.<sup>1</sup>A DESCRIPTION OF THE PARISH OF FORGUE.<sup>2</sup> (A.D. M.DCC.LXI.)

ORGUE lyes in the north part of the county of Aberdeen, about twenty-four miles from the head burgh, having part of Rothemay and Inverkeithny parishes, Banffshire, to the north; Inverkeithny and Auchterless, to the east; Auchterless and Culsamond, to the south; Inch, Drumblade, and Kinnoir, or Huntly, to the west.

It is of an irregular form, but among the largest and most populous in the county. From the ford of Auchentender, at the south or south-west, to the muir of Turtry, at the north, is six computed miles; and from the west of Auchterless, near the Lentchy, to Begg's Hill burn, four miles in breadth; the circumference of the whole, taking the course of its march with other parishes, being twenty-four miles.

It may be divided in two parts; that is, hilly, or what the country people term muir-tacks, and the low-land, or more improven grounds. The first consists of towns and farms, among, and upon the skirts of the Foudland hills, and the last, those in the north of the parish, and upon the burn sides.

There are not many high hills in the parish, although several small ones with glens or little valleys interspersed. The Fore or Fowrman hill,<sup>3</sup> in the north-west, which separates Forgue from Kinnoir and Rothemay, is the most considerable, is seen from the German Ocean and Murray Frith, and, in many places, at the distance of thirty miles; its summit, or top, appearing almost like a riding saddle, from the east and west. The hills of Raich, Culyne, and Aschaloch, or Frendraught, run in a ridge betwixt the burns of Forgue and Frendraught, through the middle of the parish, from north-east to south-west. Those of Aucharnys, Auchabors, Cranloch, Glenmellin, *etc.*, are all parts of the Foudland, though they are known by different names, as are the hills of Munelly and Drumdollo: those of Bogny are part of the Foreman.

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 519—525.]

<sup>2</sup> [From the Edinburgh Magazine, vol. v., for the year 1761, pp. 11—13.]

<sup>3</sup> ["The unfortunate Mary Queen of Scots, on her journey to the north [in 1562], passed over this hill on her way to Rothemay, by what goes still by the name of The Queen's Road." (The New Statistical Account of Scotland, number xxxix., p. 599. Edinb. 1842.)]

The parish is reputed no part of the district of Garioch, Strathbogie, Buchan, or Foremartin. It, of old, belonged to the Dunbars, a branch of the Dunbars Earls of Murray. In King James the Second's time, a son of Crichton, chancellor of Scotland, by marrying the heiress, got the estate; in which family (afterwards dignified by the title of Viscount of Frendraught) part of the estate continued until the beginning of this century. and went always under the designation of the lordship and regality of Frendraught. The property of it now belongs to Mr Morison of Bogny, Mr Duff of Hatton, Messrs. Gordon of Cowbardy, Irvine of Corny-haugh, Leslie of Drumdollo, Phyne of Cross, and Innes of Munelly. Bogny has about one-half; Hatton and Cowbardy are the next considerable; the other four are of smaller properties.

Each of the proprietors have mansion-houses, except Hatton. Those belonging to Bogny and Cowbardy are the principal; the rest equal to ministers' manses, with gardens and office-houses.

The valued rent of the parish is three thousand nine hundred and thirty-six pounds, six shillings, and eight pence, Scots, and the real rent about two thousand pounds sterling. Of old, it was divided into eighty ploughs, and nine mills, besides crofts; at present, it is in more ploughs, but only eight mills. There is also a good dyster and waulk-mill, within half a mile of the church. The minister's stipend is about a thousand pounds [Scots],<sup>1</sup> localled; and the schoolmaster has sixteen shillings and eight pence Scots off each of the original ploughs, besides the school, and salary as session-clerk.

The parishioners are reckoned to be three thousand, old and young, of both

<sup>1</sup> [In the year 1257, Pope Alexander IV. confirmed to the abbot and convent of the monastery of St. Thomas the Martyr at Arbroath, the grant which had been made to them, by Sir William of Ferendracht, knight, (without the consent of his diocesan) of the patronage of the church of Ferendracht (Ferindrach), in the diocese of Aberdeen, with right to apply the fruits of the benefice (estimated at thirty merks) to their own proper uses. In the year 1268, the church having become vacant by the death of Duncan, its last rector, the monks appointed a chaplain to serve in the cure of the parish, assigning to him for his salary, all the altarage, with the church land, and a manse; and reserving to themselves the great tithes of the whole parish, with eight merks yearly of the lesser tithes of wool or lambs. (Collections for a History of the Shires of Aberdeen and Banff, pp. 520-522.) By an error of the press, a notice of the neighbouring church of Forglynt, in the Chartulary of Aberdeen, under the year 1250, has been applied to the church of Ferendrach or Forgue. Cf. *Registrum Episcopatus Aberdonensis*. vol. i., p. 23; above, p. 59.

"Duncan de Ferndraghe (Fernyndroghe) chivalier (nobilis vir dominus Duncanus de Ferndraghe) del counte de Abredene" and "Eue qe fut la femme Maucolom de Fernyndraughe del counte de Abredene" swore fealty and homage to King Edward I. of England on his subjugation of Scotland in the year 1296. (The Ragman Rolls, pp. 96, 142, 132.) Sir Duncan of Ferendrach and Sir Henry his brother, knights, were present

sexes,<sup>1</sup> among whom are a great many tradesmen, such as wrights, smiths, shoemakers, etc. The manufactory carried on in the parish is the linen, in all its branches; but they have no public bleachfield, being supply'd with that at Huntly, which lies in their neighbourhood, and where they are sure of merchants for their yarn and cloth, as they are at Bamff and Portsoy for their meal and bear. Thus, the linen and their crop are their staple commodities. The people in general are sensible, industrious, and substantial, and seldom known to go to law with one another.

The principal burns are two, Forgue and Frendraught. The first consists of two branches: one of them rises in the parish of Kinair, runs to the north-west of Drumblade, and divides that parish from Cowbardy, till it meet with the other branch at Knight's-mill, where there is a good stone bridge, of two arches: the other branch takes its rise in Foudland, near Drumdollo, and divides Drumblade (part of which lies like a triangle into the parish) on the east from Forgue, and runs north past Munelly, Cross, and the kirk of Drumblade, and from thence north-east and by north past Bogny and kirk of Forgue, where there is another stone bridge, of two arches; thence past the mill of Forgue, where it receives the burn of Frendraught, continues its course north past Haddo, mill and kirk of Inverkeithny, where it falls into the Doveran. At Inverkeithny there is another stone bridge, of one large arch. Its course is about eight miles. On the first branch stands mill of Cowbardy; on the second mill of Munelly; and on both the mill of Pitfancy, (and formerly Condland mill, which is now not used.) The burn of Frendraught takes its rise in Foudland, at a town of the parish called Cranloch, near Ythan Wells; runs north, past Frendraught, and mill thereof, where it is joined by Templand burn, which rises east-south-east from Frendraught, in the hills of Aucharny. From mill of Frendraught, it runs north, divides Inverkeithny from Forgue, till it come to mill of Forgue, where it falls into the the other burn above described. There is also a good bridge on this burn, at mill of Frendraught.

The small burns, such as Tarvis, Core, Riach, Gilligee, and others, all fall

at a Justice Ayre, held under the walls of the castle of Aberdeen, in the year 1300. (Collections for a History of the Shires of Aberdeen and Banff, p. 340.)

A charter of Symon the thane of Aberchirder, granted between the years 1286 and 1289, is witnessed "*Malcolmo de Ferrendrath . Johanne de Ferrendrath .*" (*Registrum Episcopatus Moraviensis*, pp. 279, 280.)

"*Michael de Ferendrach*" appears as a witness to charters of King William the Lion, and Gillicryst earl of Marr, between the years 1203 and 1214. See above, pp. 190-192.]

<sup>1</sup> ["According to Dr. Webster's report, the population in 1755 was 1802." (*The Statistical Account of Scotland*, vol. xii., pp. 281, 282. Edinb. 1794.)]

into one or other of the two large ones. About three miles south-west from the kirk, in the hills of Foudland, the water of Ythan, which falls into the German ocean at the Newburgh, takes its rise, and, after a course of three-fourths of a mile, it runs past Glenmellen, and divides Auchterless in part from Forgue. Opposite to Glenmellen is to be seen the remains of a large intrenchment,<sup>1</sup> where King Robert Bruce and his army remained, it is said, a considerable time; and near to it, in the Berry-hill, is shown the cave where that Prince lay ill of the small-pox. About two miles from Ythan Wells, the silver streams of Urie take their rise, and divide Forgue from Inch and Culsamond, and afterwards enter The Garioch. On it stands the mill of Auchintender, within the parish. The only other burn rises near Balgaveny, runs east, and divides another part of Forgue from Auchterless. On it stands the mill of Garrie's-ford.

In this parish are several mineral springs. That near Cranloch is reckoned as strong as Peterhead, and much frequented in summer; and, if some huts were built for accommodation, it would be still more used. The stream, or strin, with its banks and pebbles, are all tinged with a crust of a dark brown like oker, the ground round it is mossy, and it undoubtedly is one of the steel spaws so frequent in Scotland.

About a century ago, the parish abounded with natural woods. The present roof of the church was made out of them; it is of oak. Little now remains, except about Frendraught, and on Forgue burn, the banks of which, for about two miles, is beautifully covered. There are several inclosures lately planted, and now thriving.

In this parish are four principal highways. The first, from Buchan, by Auchterless, to Huntly, crosses the parish from east to west, near Frendraught, towards Munelly and Drumblade; the second, from Banff to Garioch, by Inverkeithny and Hawkhill of Frendraught; the third, from Cullen to Portsoy, goes past Bognybrea, towards Knight's-mill, Drumblade, and the head of The Garioch: and the fourth, from Keith, Rothemay, *etc.*, past kirk of Forgue, towards Auchterless and Aberdeen. There are four principal inns for travellers, where there is good accommodation, *videlicet*, at the kirk of Forgue, Bognybrae, Hawkhill, and Munelly.

There are four annual markets held at Hawkhill, belonging to Bogny, *videlicet*,

<sup>1</sup> [See General Roy's Military Antiquities of the Romans in Britain. London, 1793. fol. The fifty-first plate of his work is a "Plan of grounds in the parishes of Forg, Auchterless, and Culsamon, and county of Aberdeen, exhibiting the ancient camp of Redites near Glenmailen, on the south bank of Ythan, together with the military lines and intrenchments near Tillimurgan." Cf. Chalmers' Caledonia, vol. i., pp. 127, 128; Mr. Stuart's Caledonia Romana, pp. 215, 249. Edinb. 1845; Professor Stuart's Essays on Scottish Antiquities, pp. 87, 88. Aberd. 1846; The Statistical Account of Scotland, vol. xii., pp. 287, 288. Edinb. 1794.]

at Christmas, in April, July, and September; the last a considerable fair for cattle. The kirk town of Forgue is erected into a burgh of barony, with the privilege of a weekly market, but at present is in disuetude.

The farm houses and mills are generally built of stone and lime, the heretors bearing part of the expence. There are some lime quarries in the parish, but firing being at such a distance renders them useless. Marble is to be found along the Forgue burn. The stones are generally of the whin and blue slate kind, but too small for covering houses. I never heard of marble quarries in the parish, but there is some freestone. The burns abound with trout and eel, and the parish in general with wild fowl and game.

In sundry places, rows of long stones, from six to ten foot above ground, are to be seen, perpendicularly placed, some in an oblong, others in a circular form; those on the hill head north of Frendraught are the largest, but without inscriptions. About a quarter of a mile west of Frendraught, on the roadside, at Tarvis burn, is to be seen an old cairn, or heap of stones, the tradition about which is, that, at this place, the last Dunbar of Frendraught was murdered, in regard he refused to consent to his daughter's marriage with Crichton, and which was perpetrated by some of his followers; after which, he married the lady and took possession of the estate. A mile south-east of Frendraught, on the roadside, towards Glenmellen, is Murray's Cairn, at which place Murray of Cowbardy was murdered by the Crichtons, upon some slight quarrel. Half a mile north from Frendraught, on the top of the Riach hill, stood the gibbet, upon which many suffered, as appears by the remains of their graves; and, a little below the bridge of Forgue, are to be seen the graves of a gang of gypsies, who suffered death by drowning. The lords of Frendraught were severe justiciaries within their own regality. Many other accounts of their severity might be here added.

Bogny is now patron of the parish, which all holds immediately of the crown, except Corny-haugh, which holds of Bogny. The lands of Corny-haugh are at the north-end of the Foreman-hill, opposite to Mayen, upon Doveran side, and so low that for six weeks in winter the sun never rises nor sets on them.

The church stands in the north end of the parish, in latitude 57.' 27.°, longitude 2.' 11.° W., pleasantly situate on the burn of Forgue. It is a large parochial one, with two isles; that on the north is the burial place for the family of Bogny, and that on the south is pewed and desked for the congregation, and was the burial place of the Crichtons of Frendraught. The church is adorned with excellent painted seats,<sup>1</sup> carved work, *etc.*

The house of Bogny is in a fruitful plain, with handsome office-houses, and

<sup>1</sup> ["The oldest date about the church is 1638. There are several inscriptions on the seats in it, such as 'GOD SEND GRACE WITHOUT FEAR'; 'PATIENCE OVERCUMMIS TIRANNY'; 'DEUS NOBISCUM QUIS CONTRA'; 'O PASSI GRAVIORA DABIT DEUS HIS QUO-



stands in the middle of inclosures, planted and improven, of about two miles circumference. To Mr. Morison of Bogny also belong the houses of Castle Conzie (not inhabited), Frendraught, Haddo, and mill of Forgue, all within this parish.

Instrumentum super reuersione terrarum de Lityll Forg . <sup>1</sup> (A.D. 1531.)

In Dei nomine Amen . per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quingentesimo trigesimo primo mensis vero Augusti die decimo [*etc.*] . In nostrorum connotariorum publicorum et testium subscriptorum presentia personaliter constitutus discretus vir dominus Patricius Steuart capellanus / coram nobili domino Jacobo Crychtoun de Frendracht milite / exposuit qualiter sibi contulit et dedit summam centum marcarum usualis monete Scotie de et super terris de Litill Forge jacentibus in baronia de Frendracht infra vicecomitatum de Aberden / que terre alienate et impignorate fuerunt dicto domino Patricio pro eadem summa sub reuersione debita / que reuersio amissa et perdita fuit per dictum nobilem virum . nichilominus idem nobilis vir optauit et desiderauit quadragenta marcas in augmentum maioris summe de et super huiusmodi terris de Lityll Forg sic ut in toto haberet summam centum quadragenta marcarum . quam summam centum quadragenta marcarum idem dominus fatebatur se recepisse in pecunia numerata a dicto domino Patricio Steuart pro causis premissis una cum reuersione dictarum terrarum de Lytill Forg in se continentem illam predictam summam centum quadragenta marcarum / quam reuersionem idem nobilis dominus Jacobus Crychtoun miles in omnibus suis clausulis affirmavit ratificauit et approbavit . et illam primam reuersionem centum marcarum pro se et suis heredibus et assignatis quieteclamauit adnolauit et cassauit [*etc.*] et per presentes renuntiat quieteclamat et cassat / secundam vero reuersionem affirmat . Insuper idem dominus Jacobus Crychtoun de Frendracht miles ex sua mera et propria confessione declarauit quod ipsa reuersio centum quadragenta marcarum nullum locum facultatem aut potestatem habebit in redemptione dictarum terrarum de Lityll Forg cum pertinentiis usque post cursum et finem trium annorum imme-

QUE FINEM' ; 'CUM OMNIBUS PACEM ADVERSUS VITIA BELLUM.''' (The Statistical Account of Scotland, vol. xii. p. 281.)]

<sup>1</sup> [From the original in the Innes charter chest at Floors Castle.]

diate sequentium datam reuersionis dictarum terrarum de Litill Forg cum pertinentiis . Super quibus [etc.] dictus dominus Patricius Steuart a nobis connotariis subscriptis petiit instrumentum [etc.] . Presentibus ibidem Roberto Steuart de Latheris / Henrico Stewart / domino Willelmo Crukischank / Alexandro Irwing de Tulloch / Alexandro Auchlek / et magistro Jacobo Willok cum diuersis aliis [etc.] . Acta erant hec omnia in orto de Frendracht hora quasi tertia post meridiem vel eocirca sub anno die [etc.] quibus supra .

Et ego vero Willelmus Johnstoun presbiter Abbirdonensis diocesis publicus auctoritate apostolica notarius Quia premissis [etc.]

#### THE PARISH OF FYVIE.<sup>1</sup>

Quadraginta solidi de tercia parte terre de Rothebirsbane . (A.D. 1458.)



**O**MNIBUS hanc cartam visuris vel audituris Jacobus Murray dominus tercie partis terrarum de Rothebirsbane . Salutem in Domino sempiternam . Noueritis me in mea graui et vrgenti necessitate pro sustentacione et supportacione mei et vxoris mee et debitis nostris acquitandis et persoluendis / concessisse et pure et simpliciter vendidisse [etc.] . dilecto consanguineo nostro Johanni Futhes de Rothbirsbane / unum annum reddi-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 493—505 ; pp. 192—200.

A charter by King Alexander II., confirming the church of Buthelny (Meldrum) to the monks of St. Thomas at Arbroath, is dated at Fyvie (Fyuyn) on the twenty-second of February, 1221—2. (Collections for a History of the Shires of Aberdeen and Banff, p. 561.)

In the reign of King Alexander III. (1249—1286), the eels taken in the stanks and waters of Fyvie were matter of account in the King's exchequer : " Computum Reginaldi le Chene firmarij thanagii de Fermartin . . . . Item per terram de Kilmachone datam burgensibus de Fyuyne de illo anno . x . marce . . . . Memorandum quod Henricus de Fyuin debet reddere computum de anguillis de Fyuyne de toto tempore quo tenuit stagna et aquas de Fyuyne ." (The Chamberlain Rolls, vol. i. p. 33.\* ) The account is probably of the year 1286. Cf. Registrum Episcopatus Aberdonensis, vol. i. p. 158.

The castle of Fyvie, " Fyuin chastel," was one of the stages in the progress of King Edward I. through Scotland in the year 1296. On Friday the twentieth of July he proceeded from Aberdeen to Kintore, " a Kyntorne manoir" ; and would seem, on the next day, to have ridden to Lunfannan, and thence to Fyvie ; a remarkable journey. On Sunday the

tum quadraginta solidorum vsualis monete Scotie leuandum et percipiendum de terris meis antedictis [*etc.*] . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum / apud Aberdene decimo sexto die mensis Augusti anno Domini millesimo quadringentesimo quinquagesimo octavo . Presentibus honorabilibus viris Johanne de Fyf preposito [burgi de] Aberdene / Andrea Mengies / Joanne de Marr / Ricardo de Kyntor / Alexandro Douglas deputato vicecom[itis de Aberden] / Gilberto

twenty-second he went to Banff, "a Banet chastel," and on Monday to Cullen, "a Inuercolan manoir." He encamped on Tuesday in the Enzie on the banks of the Spey, "*le Mardy en tentes en Leunoy sur la riuere de Spe.*" (The Ragman Rolls, pp. 92—100, 179, 183; *Archaeologia*, vol. xxi. p. 496; The Bannatyne Miscellany, vol. i. p. 278.) The castle of Fyvie, in the year 1437, seems to have been in ward of the crown. In the account of the King's chamberlain of Kintore and Fermartyn there is entered "pro custodia castri de Fyvy statim post obitum Domini Regis [20 Feb. 1437.] in victualibus uti ab aliis caperetur . iiij . libre . v . solidi . ij . denarii . " (The Chamberlain Rolls, vol. iii. p. 367.)

In the year 1331, the issues received by the King's chamberlain from the burgh of Fyvie, were ten pounds, "et de . x . libris de prepositis burgi de Fevyn," being nearly the same sum which was paid by the burghs of Cullen and Kyntor: "Et de . xij . libris . iij . solidis . iiij . denariis . de prepositis burgi de Culane . Et de . x . libris . xiiij . solidis . iiij . denariis . de prepositis de Kyntor . " (The Chamberlain Rolls, vol. i., pp. 221, 222.) So recently as the year 1511, the second tithe of the issues of the Chamberlain Ayre of the burgh of Fyvie, continued to be enumerated in the rental of the bishopric of Aberdeen: "decima itineris ville de Fyuy vt contingit." (Registrum Episcopatus Aberdonensis, vol. i. p. 358.)

Walter parson of Fyvie (Fiwin) is witness to a charter by John bishop of Aberdeen, between the years 1199 and 1207. (Liber S. Marie de Calchou, vol. ii. pp. 339, 340. Edinb. 1846. Presented to the Bannatyne Club by the Duke of Roxburghe.) In the year 1250, the vicarage of Fywin (Fyvyn) was taxed at thirty-three merks, and the vicar's provision was the altarage with the land of Ardingros (Ardincross). The great tithes of the whole parish, with five merks from the lesser tithe of wool or lambs yearly, were reserved to the abbot and convent of St. Thomas the Martyr at Arbroath, to whom the benefice belonged (before the year 1197) by gift of their founder, King William the Lion. (Registrum Episcopatus Aberdonensis, vol. i. p. 22; above, p. 59.) Henry of Lychtoun, bishop of Aberdeen, at the instance of the monks of Arbroath, in the year 1427, annexed the vicarage of the church of St. Peter at Fywe, (then vacant by decease of Sir John of Crabe) to the neighbouring Priory, under condition that the brethren should find the perpetual vicar, by whom the cure of souls was to be served, in ten merks yearly, and a sufficient manse. The presentation of the vicar was vested in the abbot and convent; his admission and institution lay with the bishop. The monks were farther bound to make payment yearly of six merks to a chaplain serving in the cathedral of St. Machar at Aberdeen, and to find him in a decent habit. (Registrum Episcopatus Aberdonensis, vol. i. p. 225.)

Vaus vno balliuorum [dicti burgi] / Johanne Stewart burgense dicti burgi / et domino Roberto Leis capellano cum multis aliis . <sup>1</sup>

Preceptum saisine terrarum de Rothibrisbane pro Jacobo Innes de eodem . <sup>2</sup> (A.D. 1479.)

Lanslotus Futhas . Willelmo Meldrum de Fywe / Johanni Berclay de Tolle / Patricio Gordoun de Methlek / et Roberto Gordoun de Vothach . balliuis meis coniunctim et diuisim [etc.] in hac parte constitutis [etc.] . Quia dedi concessi et vendidi omnes et singulas terras meas de Rothibrisbane cum pertinentiis jacentes infra vicecomitatum de Aberdene nobili viro Jacobo Innes de eodem . tenendas et habendas dicto Jacobo heredibus suis [etc.] de supremo domino nostro Rege et suis successoribus imperpetuum [etc.] . Ego vero vobis [etc.] mando quatinus presentibus visis vos [etc.] sasnam usumfructuum et possessionem dictarum terrarum cum pertinentiis dicto Jacobo hereditarie tradatis [etc.] . Datum sub sigillo meo apud burgum de Aberdene decimo septimo die mensis Februarii anno Domini millesimo quadringentesimo septuagesimo octauo . Coram hiis testibus / videlicet / nobili viro Alexandro Fraser de Fillorth milite / Alexandro Fraser filio et herede apparente dicti Alexandri / Andrea Scherrar et Johanne Glenmalwyn burgensibus de Aberdene cum diuersis aliis .

Instrumentum super maritagio inter Meldrum et Innes . <sup>3</sup> (A.D. 1481.)

In Dei nomine Amen . per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis Dominice millesimo quadringentesimo octogesimo primo mensis vero Maii die tertio [etc.] . In mei notarii publici et testium infrascriptorum presentia personaliter constituti compa-ruerunt honorabiles viri Willelmus Meldrum de Fywy et Jacobus Innes de eodem / quandam copiam unius euidentie penes maritagium faciendum inter Georgeum Meldrum filium et apparentem heredem dicti Willelmi et Elizebetham Innes filiam dicti Jacobi tradiderunt perlegendam / qua publice coram omnibus ibidem circumstantibus perfecta antedicti Willelmi et Jacobus [etc.] meris suis ac spontaneis voluntatibus omnibus

<sup>1</sup> [From the original in the Pitfoddels charter chest.]

<sup>2</sup> [From the original in the possession of the Club.]

<sup>3</sup> [From the original in the Innes charter chest at Floors Castle.]

punctis [*etc.*] in copia prefata scriptis se subdicere et omnia et singula in eadem contenta finire et adimplere fideliter sine fraude fatebantur . Cuius quidem copie tenor sequitur et est talis . . THIR eidentis made at Fiwy the secunde dai of Maii the yer of God . m . iiii<sup>e</sup> . auchti and a yer . proportionis and beris vitnes in thameselff that it is fully aponttit treittit and fynaly concordit betuix rycht honorable men Williame Meldrume of Fiwy and George of Meldrum sone and apperand ayr to the said Villiame on the ta parte / and James of Innes of that Ilk on the tother parte . in maner effect and forme as eftir folowys / that is to say / That the said George God willing sall mary and haf to wyf Elezabetht Innes dochter to the said James gottin betuix him and Jonet of Gordone / betuix the dait of thir lettres and Vitsondie nixt thairefter folowand . For the quhilk mariage to be complettit and solemnit betuix the said George and Elezabetht / the said James of Innes sall pay and content [*etc.*] to the said William his ayris and exequitouris or assignais the sowme of sewyn hundreth merkis of the usuale money of Scotlande at thir termes underwritin / that is to say / at the Feste of Witsonday forsaide fyfty merkis and at the fest of Sanct Martyn in vynter thaireftir folouand fyfty merkis / and at ilke terme of Witsonday and ilke terme of Sancte Martyne in wynter immediat folouand uder fyfty merkis / ay and quhyll the sowme of the said sewyn hundreth merkis be fully assythtit content and payt at the termys forsaide but ony langer delay in the paroche kyrk of Ouchtirles at the hee altar of the samyn . For souerte of the quhilk forsaide payment as said is the said James sall infest the said Williame and his ayris and assigness in fourty merkis wortht of lande be charter and possessione to be haldin of himself in blance ferme / that is to say / ten merkis wortht of the lande of Rotheis lyand within the shireffdome of Abberdene and twenty pundis wortht of the landis of Bogmochill liande within the Foreste of the Boyne quhilk was Walter Ogilvyis and haldis of the Erle of Huntle in likwyss / and thairupon upten the said Erle of Huntleis confirmatione on the said James expensis gyf nede be of the said gyft . and the said Williame sall mak to the said James and his ayris a reuersione gyf the said James and his ayris or assignais payis yerly to the said Williame and his ayris or assignais the said soume of fyfty merkis termly as said is [*etc.*] the said Williame and his ayris or assignais sall renunce and upgyf the saidis landis with all charteris and eidentis maid thairapon to the said James and his ayris but ony questione or demande . ande gyf the said

James failyeis in the payment of the said soumes at the termes and plas befor writtin or ony terme thairof [etc.] than the said Williame his ayris and assignais sall rase the mailis of all terme and termys sall happyn to the said James his ayris and assigness till failye in their payment as said is [etc.] . And atour the said James sall make ane obligation in the best and sykkyrast forme for him and his ayris of lyne and tailye to the said Williame and his ayris or assignais gyf ony of the saide landis beas be ony maner of way recouerit fra the said Williame [etc.] that he or thai may nocht peceably bruik the said landis [etc.] than incontinent within fourty dayis next it be notable knawyn the said James his ayris foirsaide and assignais sall infest the forsaide Williame his ayris and assignais in uder gude and sikkyr bandis for souerty of the said sowme as befor and the reuersione be made tharapon as befor [etc.] . For the quhilkis sowmes to be payit as said is the said Williame and his ayris sall incontinent within fourty dayis efter the completion of the mariage betuixt the saidis George and Elezabetht resing or make sufficiande power to resinge all and hail his barouny of Petkary within the shirefdome of Kyncardin in our Souerane Lordis handis to be gyffin in juntinfestment to the saidis George and Elezabetht his spouss and to the ayris to be gottyn betuix thame quhilkis failyeand the [said] Georgis rychtvias ayris quhatsumeuer / and thairapon the expenssis at our Souerane Lordis handis ewynlie to be made be the saide Williame and James . ande als the said George consentis at the awyss of his freindis at his fader resinge twenty pundis wortht of his landis in the Abbot of Abbyrbroythoceis handis or ony uder our lordis handis excepe the Kynge / and to be gyffin to his saide fader and Elspan his spous in junctfestment and to the ayris maille to be gottin betuix thame quhilkis failyeand the said Williameis nerast lauffull ayris quhatsumeuer / and the said Williame and his spouss sall make ane sufficeand reuersione in the best and sykkyrast wyss to the said George and his ayris for thame and thair ayris maille of tailye foirsaide at quhat tym the said George and his ayris or assignais payis to the said William ande his spous or thair ayris forsaide the sowme of sewyn hundretht merkis togidder and on a dai in the Prior kyrke of Fywy on the he altar of the samyn / or than makis to the said Williame and his spous or thair ayris maille forsaide twenty pundis wortht of landis liand in competent placis to be haldin of the said George and his ayris in warde and releiff than incontinent thareftir to be bundin to resinge and upgyf in favouris

of the said George and his ayris the saide twenty pundis wortht of landis sall happin to be resingit and giffin to his fader and his spous in juntinfeiment as saide is in sykkyrast wyss the saide George and his freindis can dewyss / And gyf it sall happin the said Williame and his spouss or thair ayris maille foirsaide to failye in the resignatione and upgyffine of the said landis in fauoris of the said George and his ayris to be bundin and ar bundin in the sowme of sewyn hundretht merkis to be payit togidder and on a dai to the said George and his ayris at the said Priory and the sade alter incontinent within fourti dais it be knawyn thai refussis to fulfille the forsaide poyntment . ande in the stratast styille and ferme of obligatione herapon lettres to be made / and als the saide Williame and his spouss sall upteyn the lettres of regress of the our lorde quhat sa he be to the said George and his ayris to be resaide in tenande againe to the said twenty pundis wortht of landis apone the sade Williameis expenssis and his spous the said sowme beande payit or bandis made as said is . And als the sade Williame is bundin be the faytht in his body and lawete neuer to disheress forther than is forsaide bot for urgent necessite to be considerit at the sycht of the said James of Innes and the saide Williameis ayris and uder the best vordyast and nerast of thair blud and kyn . And gyf thair be ony thing in their endentaris downtwyss or neddis correction in the euidentis makin it sall be considerit mendit and endit and reformit als oft as it be seyne spedfull or nedfull to the forsaide parteis be fulfillit be the awyss and consaille of Maister Gilbert Hay of Vre / Maister Johne Lioune / Maister Adame of Gordone person of Kynkelle / and Alexander Mowat of Loschargy / or ony thre or twa of thame . And to the obseruyng and kepinge and fynaly fulfilling all the saidis parteis ar bundin to uder leillely and trewly be the faythtis in thair bodeis but fraude or gyille / the Haly Ewangellis twichit the gret aytht sworne / in presens of noble and mychti lordis George erle of Huntle / Williame errle of Erroill / Schir James Ogylwy of Desfurde / Maister Gilbert Hay of Vry / Maister Jhone Lione / Valter Ogylway of Auchlewyn / Williame of Keytht son and apperande ayr to Sir Gylbert of Keytht of Enerugy / and Alexander Mowat of Loschargy with uderis dyuerss . And for the mar sykkirnass enterschangably thai haff sett to thair seillis yer dai and place before writtin . . *SUPER quibus [etc.] prefati Villelmus et Jacobus a me notario publico subscripto sibi fieri petierunt publicum iustrumentum [etc.] . Acta erant hec apud Fywy in inferiori*

cawmera Willelmi antedicti / anno die mense [etc.] quibus supra . Presentibus ibidem honorabilibus viris Valtero Barclay filio et apparente herede Johannis Barclay de Tolly / Roberto Gordone de Vthauch / et Baraldo Innes in Meibriss / cum multis et diuersis aliis ad premissa vocatis specialiter et rogatis . hora quasi decima ante meridiem uel eocirca .

Et ego Alexander Jonstone presbiter Abbirdonensis dyocesis publicus Imperiali et Regali auctoritatibus notarius [etc.]

Litera procuratoria Willelmi Meldrum ad resignandum terras suas de Fyvie .<sup>1</sup> (A.D. 1502.)

Serenissimo et excellentissimo principi Jacobo Dei gratia Scotorum Regi illustrissimo . vester humilis subditus et legius Willelmus Meldrum de Fivye meipsum cum omnimodis reverentia et promptitudine ad famulatus obsequium . in vestre serenissime majestatis manus ego dictus Willelmus [etc.] mea mera pura ac spontanea voluntate omnes et singulas terras meas baronie de Formartin cum tenentibus tenandriis ac liberetenentium servitiis / castellum et fortalitium de Fivye cum villa seu burgo ejusdem unacum firmis burgagiis ejusdem cum pertinentiis / terras de Mekle Gourdess<sup>a</sup> cum molendino ejusdem / terras de Blaichree et Badichail / terras et forestam de Kynnavell<sup>b</sup> et Woudend / Litile Gourdes / Comoloun / Haldawe / Derley / Petty cum molendino ejusdem / le Straitht cum brasina ejusdem / dimidietatem terrarum de lie Park de Fivye / terras de Jakstoun Estirtoun et Sauchak cum molendino ejusdem cum suis pertinentiis . jacentes infra vicecomitatum de Abirdene / quas de vobis teneo in capite / per presentes tanquam per fustem et baculum sursum reddo pureque et simpliciter resigno [etc.] . Reservatis tamen michi pro toto tempore vite mee libero

<sup>1</sup> [From the original, in the charter room at Fyvie.]

<sup>a</sup> The lands of Gourdess or Gurdnes were the demeane lands of Fermartyn. In the account of the King's chamberlain of Kyntor and half of Fermartyn for the year 1437, there is entered : " Et allocatur pro firmis terrarum de Gurdnes que sunt terre dominice de Firmartyn concessa per Regem domino Johanni Wischeard militi . . viij libre." (The Chamberlain Rolls of Scotland, vol. iii., p. 367.)

<sup>b</sup> In a roll of missing charters by King Rouert I. is " Carta Patricii de Montealto of the office of Forestership de Killanell et Fromerteine in vicecomitatu de Aberdein." (Robertson's Index to the Charters, p. 17.)

In the reign of King David II., the sheriff of Aberdeen accounted in exchequer for the sum of six shillings and eight pence, yearly, from the Forest of Kyllanell, Killanall, or Kilanan. (The Chamberlain Rolls, vol. i., pp. 288, 291, 298.)



tenemento dictarum omnium et singularum terrarum castelli burgi foreste et molendinorum cum pertinentiis [*etc.*] ac rationabili tertia Elizabeith Berclay sponse mee . Pro qua resignatione sic ut premittitur in manibus vestris fienda [*etc.*] constituo [*etc.*] Walterum Berclay de Towy / Andream Elphinstoun de Selmis / et Willelmum Jhonnstoun filium et apparentem heredem Alexandri Jhonnstoun de eodem [*etc.*] meos [*etc.*] procuratores irrevocabiles [*etc.*] . In cujus rei testimonium sigillum meum presentibus est appensum / apud Abirdene vicesimo secundo die mensis Augusti anno Domini millesimo quingentesimo secundo . Coram hiis testibus Georgio Gordoun / Roberto Gordoun de Fottirlettir Alexandro Cruskank / et magistro Alexandro Masse notario publico cum diversis aliis .

Lettre of bailyeary of the Vodend of Fyve .<sup>1</sup> (A.D. 1508.)

Be it maid kend tyll almen be thir present letteris me George Meldrum of Fyve to haf maid constitut and ordinat / and be the tenor of this present writ makis constitutis and ordinatis / ane honorable man and my broder of law Robert Innes of Rotnakynny my veray lauchfull and undoutit bailye of my landis and tak callit the Vodend of Fyve and pertinans of the samen / for all the dais and termis of nyn yer next and immediat folowand the dait of this present writ . giffand grantand and committand to my said bailye my full pouar curtis in the said land and tak to fenss begyne and hald / membris of the samen to creat and mak als oft as it plessis my said bailye / amercia-mentis and eschetis of the samen to tak / curtis to continew and prolong gif neid beis / and generaly all uder thingis to hant wiss and do that pertenis to the office of bailyory or may pertein of law . haldand and for to hald ferm and stable all and quhatsumeuer my said bailye doiss in the premisses under oblessing of all my guddis present and for to cum . In witness heirop I the said George ass affixit my seill to this my letter of bailyory togidder witht my subscription manuale at Fyve the ferd day of Nouember the yer of God ane thousand fif hundretht and aucht yeris befor thir vitnes Jhone of Meldrum burges of Abirden / Maister Andro Innes / Schir Andro Tailyour / George Masone / Jhone of Meldrum / and Maister Alexander Currour notar publict vitht uders diuerss

George Meldrum of Fywe manu propria

<sup>1</sup> [From the original, in the Innes charter chest at Floors.]

Instrumentum super renunciatione Alexandri Meldrum juri hereditatis sue .<sup>2</sup> (A.D. 1511.)

In nomine Domini Amen . Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno ab incarnatione Dominica millesimo quingentesimo undecimo / mensis vero Octobris die secundo [etc.] In mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir Alexander Meldrum etatis viginti annorum / primogenitus filius et heres apparens nobilis viri Georgii Meldrum de Fywee / non vi aut metu ductus [etc.] sua mera libera ac spontanea voluntate et ex sua certa scientia et animo deliberato ut asseruit / et propter inhabilitatem quam habet ex gravi et ingente infirmitate que sibi unoquoque mense per spatium decem annorum contigit / et sibi eandem in futurum contingere timens / quod dum in eadem infirmitate vexatur nullum sensum perfectum aut rationem habet ut suam propriam personam aut hereditatem regat . aut defendat / ut mihi notario publico testibusque subscriptis ac ceteris conterminis notorie constat . temporeque confectionis presentis instrumenti in perfecta sanitate mentis et corporis existens [etc.] . et propter perpetuum commodum dicte hereditatis ne in manus alienas tempore sue infirmitatis per iniquum et sinistrum consilium dicta hereditas convertatur . ac propter centum marcas terrarum in vitali reddito dicto Alexandro per prefatum Georgium suum patrem carnalem die date presentis instrumenti concessas [etc.] . consensit et assensit / suumque consensum et assensum pro se heredibus suis et assignatis irrevocabiliter prebuit et contulit prefato Georgio Meldrum suo patri / ad infeodandum et investiendum seu infeodari et investiri faciendum hereditarie Wilhelmum Meldrum fratrem germanum dicti Alexandri / quo deficiente hereditarie Georgium Meldrum juniorem alium fratrem germanum dicti Alexandri / quibus forte deficientibus heredes dicti Georgii sui patris quoscunque . in omnes et singulas terras ac totam et integram hereditatem dicti Georgii sui patris mobilem et immobilem presentem et futuram prefato Alexandro jure hereditario aut quovis alio jure pertinentem et spectantem seu pertinere et spectare valentem quomodolibet in futurum [etc.] . Et dictus Alexander totum jus suum hereditarium petitorium et successorium dicte hereditatis mobilis et immobilis pro se heredibus suis et assignatis in prefatum Wilhelmum Meldrum et heredes

<sup>2</sup> [From the original, in the charter room at Fyvie.]

suos de corpore suo procreatos seu procreandos / quibus forte deficientibus in dictum Georgium juniorem et heredes suos de corpore suo procreatos seu procreandos / quibus forte deficientibus in heredes dicti Georgii sui patris quoscunque / transtulit / Renunciando omni juri et juris clameo ac titulo juris que de dicta hereditate seu in et ad eandem et dictas terras habet habuit seu habere poterit in futurum pro se heredibus suis et assignatis imperpetuum / dicto vitali redditu duntaxat excepto [*etc.*] . Et demum obligabat se fide media prefatus Alexander in strictissima forma obligatoria per extensionem et ostensionem manus sue dextre magno juramento interveniente tactisque Sacrosanctis Dei Evangelii pro se heredibus suis et assignatis [*etc.*] se observare omnia et singula premissa irrevocabiler et nunquam contra eadem devenire in judicio aut alibi [*etc.*] . De et super quibus [*etc.*] prefatus Georgius Meldrum de Fywee a me notario publico subscripto sibi fieri petiit instrumentum publicum [*etc.*] . Acta erant hec infra capellam Beati Michaelis Archangeli de Petcarry hora tertia post meridiem aut eo circa sub anno die mense [*etc.*] ut supra . Presentibus ibidem pro tunc honorabilibus et discretis viris Waltero Moncur de Slanis / Roberto Allirdes fratre germano Johannis Allirdes de eodem in Auchindrech commorante / Waltero Myddiltoun Alexandro Myddiltoun armigeris fratribus germanis Gilberti Myddiltoun de eodem / et magistro Wilhelmo Meldrum clerico parochiali de Fywe / cum diversis aliis testibus ad premissa vocatis specialiterque rogatis .

Et ego David Broun presbyter Sancti Andree diocesis publicus sacra Apostolica auctoritate notarius [*etc.*]

Instrumentum sasine Georgii Meldrum de Fywie . <sup>1</sup> (A.D. 1526.)

In Dei nomine Amen . per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis Dominice millesimo quingentesimo vigesimo sexto / die vero mensis Novembris nono [*etc.*] . In mei notarii publici testiumque subscriptorum presentia personaliter constitutus providus vir Alexander Melving marus deputatus vicecomitatus de Abirdein / de speciali mandato honorabilis viri magistri Alexandri Ogilvy vicecomitis deputati dicti vicecomitatus de Abirdein in hac parte / virtute et tenore cujusdam precepti vicecomitis principalis de Abirdein sigillo officii ejusdem sigillati et dicto Alexandro Melving ballivo et maro in hac parte

<sup>1</sup> [From the original, in the charter room at Fyvie.]

directi . ad requisitionem et supplicationem honorabilis viri Georgii Meldrum de Fywie ad principale messuagium maneriem et fortalicium ac castrum de Fywie accessit / et ibidem [*etc.*] dicto Georgio personaliter acceptanti [*etc.*] saisinam [*etc.*] omnium et singularum terrarum villarum baronie de Fywie cum molendinis et multuris ejusdem baronie tenentibus tenandriis et libere tenentium servitiis eorum cum pertinentiis dicti messuagii manerii fortalicii et castri cum pendiculis et pertinentiis [*etc.*] deliberavit per terre et lapidis traditionem ut moris est [*etc.*] eundem Georgium in principali domo castri includendo et imponendo nullo contradicente . Et in signum vere saisine predicte de communi campo seu agro dicte baronie elegerunt unum bovem nigri coloris gretia cornua habentem per fidedignos appreciatum ad summam quinquaginta solidorum monete Scotie . Super quibus [*etc.*] prefatus Georgius Meldrum a me notario publico subscripto sibi fieri petiit instrumentum [*etc.*] . Acta erunt hec apud castrum de Fywie et principale fortalicium super solum terrarum ejusdem hora quasi undecima ante meridiem vel eo circa sub anno die mense [*etc.*] quibus supra . Presentibus ibidem Georgio Meldrum in Gurdess / Jacobo Davidsonsone / Andrea Mauuinesone testibus ad premissa vocatis pariter et rogatis.

Et ego Thomas Annande artium professor presbiter Aberdonensis diocesis publicus auctoritate Apostolica notarius [*etc.*]

THE PARISH OF TURREFF.<sup>1</sup>

Sancti Congani abbatis qui apud Turreff Aberdonensis dyocesis veneratur .

Oracio .



EUS qui beatum Conganum pium pastorem confessorum pariter et abbatem preclaris decorasti miraculis : presta quesumus vt eius meritis patrociniisque suffulti ad celestia mereamur gaudia peruenire . Per [Dominum etc.]

Lectiones .

Conganum Kentigerne matrone germanum beati Felani abbatis carissimum esse ferunt auunculum hic illum

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 460—473.]

The church of Turreff (Turuered) was given to the monks of St. Thomas at Arbroath, by Marjery countess of Buchan, before the year 1214. The grant was confirmed by King William the Lion, and by Adam bishop of Aberdeen (A.D. 1207—A.D. 1228); but was annulled or revoked during the episcopate of his successor Bishop Gilbert (A.D. 1228—A.D. 1239.) Cf. *Registrum Vetus Cenobii de Aberbrothoc*, MSS. Adv. Bibl.; and above, pp. 121, 122. In the year 1263, Sir William of Lamberton, rector of the church of Turreff (Turuereth), appears as a witness to a charter by Richard bishop of Aberdeen. (*Collections for a History of the Shires of Aberdeen and Banff*, p. 562.) Ten years afterwards, the church of Turreff (Turrech, Turreth) was, by Alexander Cumyn earl of Buchan, bestowed upon the Hospital of Saint Congan, which he founded at Turreff, for a master, six chaplains, and thirteen poor husbandmen of Buchan. (*Registrum Episcopatus Aberdonensis*, vol. i., pp. 30—34.)

The church of Turreff, by consent of the patron, Sir John Stuart earl of Buchan, was, in the year 1412, erected into a prebend of the cathedral of Saint Machar at Aberdeen. The whole fruits of the benefice (in which the Hospital of Saint Congan seems to have merged) were assigned to the prebendary, under burden of six merks yearly, a surplice, and certain other vestments, to a chaplain officiating in the cathedral, and of twelve merks yearly, with a toft and croft, to a perpetual vicar serving the cure of souls in the parish, and making his residence at Turreff. The right of presentation to the prebend was reserved to the Earl and his heirs. (*Registrum Episcopatus Aberdonensis*, vol. i. pp. 213, 214; vol. ii. p. 253.) A manse in the Chanonry at Aberdeen, which, in contemplation of this erection, had been granted, in the year 1407, to Sir William Lang, rector of Turreff, was annexed to the prebend: it was built on a piece of ground which lay on the south side of the manse of the prebendary of Methlick, measuring eighty feet in breadth, and stretching from the public way on the east, to the Bishop's Loch on the west. (*Id.*, vol. i. pp. 210, 211.)

ex Scotorum Ybernencium et Laynensium reguli genologia discendisse et ab adolescencia milicie deditum arcu et equitum cursu exercitatum tradidit hystoria . Sed vtrisque orbatus parentibus regnum paternum legibus et armis gubernandum rempublicam ipsam et eiusdem vtilitatem cunctis domesticis rebus et commodo singulari preferendam esse censuit et ordinavit Catholicam fidem seruandam et Dei sanctam ecclesiam decorandam Deo decimas soluendas et oblaciones frugum terre salutiferas ecclesie sacerdotibus tradendas statuit et sibi subiectis hec et similia palam inuiolabiliter seruanda iudicauit . Interea dum beatus ipse Conganus adeo regnum sibi a Deo commissum in pace et tranquillitate collocaret vt omnes qui sue iurisdictioni traditi fuerant sub Dei lege viuebant inuicem nemini iniuriam inferentes in tantum quod eius doctrina et lege omnes Deo magis seruiendum quam mundo preelegerent . Sed qui bonorum operum insidiator inimicus est ille inueteratus in vicinos seu regulos zizaniam seminavit et aduersus beatum Conganum dira excitauit bella et suum regnum vi et armis depopulandum et depredandum illorum animos commouit : bello autem concito et multis ferro et sagittis vltro citroque peremptis Conganus tanta innocentum sanguinis aspersionem videns in fugam vertitur et per hostes fugatus pede sagitta percussus est sed illorum manus diuina virtute alia absque lesione euasit . Regno paterno et ipsius vana gloria derelictis religionem ingreditur et cum Kentigerna sorore sua matrona Deo deditissima et filiis eius Felano Furseo et Vlcano viris Deo carissimis ac septem clericis aliis in Scociam nauigio peruenit et ad locum qui Lochelch dicitur in Erchadia boreali vbi acerrimam duxerat vitam Christianam vbique enuncians fidem solitariam vitam. ducere regeo preelegit palacio et humili indutus cucullo castitatis aliis relinquebat exemplum . Quare eo in loco paulo post ob sanctitatem auunculi sui beatus ipse Felanus ecclesiam in eius honore construxit qua in presens vsque hodie

“ John [fourth] lord Glamis succeeded his father [in the year 1497], who when he was Master married [in the year 1487] Elizabeth Gray daughter to the Lord Gray. . . . He had children George and John, both Lords of Glamis, and Mr Alexander Lyon, chanter of Murray, who was a singular scholar in these tymes and was tutor to his brothers sones, and lyeth buried in the quire of Turreffe which he built ; of whom being a churchman and unmarried cam no lafull succession. He dyed in the yeare of God 1541.” (The Pedigrie of the House of Glamis, MS. (of the seventeenth century) in the possession of The Maitland Club.)]

ab illius terre incolis beatus ipse Conganus colitur et veneratur qui post longam et diuturnam huius vite miseriam sub regula et habitu monachali sancte et devote viuendo spiritum Deo reddidit et in Yona sepultus est insula .<sup>1</sup>

Carta Roberti Regis concessa magistro et domui Hospitalis de Turrith super terra de Pets .<sup>2</sup> (A.D. 1328.)

Robertus Dei gracia Rex Scotorum . Omnibus probis hominibus tocius terre sue Salutem . Sciatis nos dedisse . concessisse . et hac presenti

<sup>1</sup> [From the Breuiarium Aberdonense, prop. Sanct. pro temp. estuali, fol. cxxvii.]

The royal letter of privilege granted to the printers of this work, places beyond all doubt, that the Proprium Sanctorum owed much to the labours of good Bishop Elphinstone :

" James etc. To al and sindrj our officiaris liegis and subdittis quham it efferis to quhais knowlage thir our lettres salcum greting Wit ye that forsamekill as our lovitteis seruitouris Walter Chepman and Andro Millar burgessis of our burgh of Edinburgh has at our instance and request for our plesour the honour and profit of our realme and liegis takin on thame to furnis and bring hame ane prent with all stuff belangand tharto and expert men to use the samyne for imprenting within our realme of the bukis of our lawis actis of parliament croniclis mess bukis and portuus efter the use of our realme with additionis and legendis of Scottis sanctis now gaderit to be ekit tharto and all utheris bukis that salbe sene necessar and to sel the sammyn for competent pricis be our avis and discrecioun thair labouris and expens being considerit And becaus we wnderstand that this cannot be perfurnist without rycht greit cost labour and expens we have grantit and promittit to thame that thai sall nocht be hurt nor prevent tharon be ony utheris to tak copyis of ony bukis furtht of our realme to gar imprent the samyne in utheris cuntreis to be brocht and sauld agane within our realme to cause the said Walter and Androu tyne thair gret labour and expens And alis it is divisit and thocht expedient be us and our consall that in tyme cuming mes bukis manualis matyne bukis and portuus bukis efter our awin Scottis use and with legendis of Scottis sanctis as is now gaderit and ekit be ane reverend fader in God and our traist consalour Williame bischope of Abirdene and utheris be usit generally within al our realme alsone as the sammyn may be imprentit and providit and that na maner of sic bukis of Salusbery use be brocht to be sauld within our realme in tyme cuming and gif ony dois in the contrar that thai sal tyne the sammyne Quharfor we charge straitlie and commandis yow al and sindrj our officiaris liegis and subdittis that nane of yow tak apon hand to do ony thing incontrar this our promitt devise and ordindance in tyme cuming under the pane of escheting of the bukis and punising of thair persons bringaris tharof within our realme in contrar this our statut with al rigour as efferis Geven under our prive sel at Edinburgh the xv day of September and of our regne the xx<sup>th</sup> yer [1507.]" (Registrum Secreti Sigilli, vol. iii. p. 129, printed in The Miscellany of The Maitland Club, vol. ii. part i. pp. 4—7.)

<sup>2</sup> [From the Registrum Album Ecclesie Aberdonensis, fol. cxxiiij. MSS. Adv. Bibl. The charter of foundation of the Hospital of Saint Congan at Turreff is printed in the

carta nostra confirmasse . magistro et domui Hospitalis de Turreth .  
 terram de Pets cum pertinentiis in puram et perpetuam elemosinam .  
 ad inveniendum unum capellanum divina celebrantem imperpetuum infra  
 Hospitale predictum pro anima Nigelli de Bruys<sup>a</sup> fratris nostri . absque  
 omni alia exactione servicio seu demanda . In cujus rei testimonium  
 presenti carte nostre sigillum nostrum fecimus apponi . hiis testibus  
 Thoma Ranulphi comite Moravie domino Vallis Anandie et Mannie  
 nepote nostro carissimo . Waltero de Twyname cancellario nostro .  
 Alexandro Fraser . Roberto de Keth marescallo nostro . Gilberto de  
 Haya constabulario nostro . Nicholao de Haya . et Adam More . mi-  
 litibus . Apud Kynkell . sexto decimo die Octobris . anno regni nostri  
 . vicesimo tercio .

Instrumentum procuratorie ad recuperandum jus patronatus ecclesie de  
 Erole . <sup>1</sup> (A.D. 1446.)

In Dei nomine Amen . Anno incarnationis Domini millesimo quadringen-  
 tesimo sexto . mensis Augusti die decima quinta . In mei notarii publici  
 et testium subscriptorum presentia personaliter constitutus nobilis et potens  
 dominus Dominus Willelmus de Haia dominus de Errol et constabularius  
 hereditarius regni Scotie . constituit carissimum consanguineum suum  
 Dominum Gilbertum de Haia militem verum procuratorem dando eidem

Collections for a History of the Shires of Aberdeen and Banff, pp. 467-470; and in the  
 Registrum Episcopatus Aberdonensis, vol. i., pp. 30-34.

" William de Kircuthbright / mestre del Hospital de Turrythe / del counte de Banf"  
 swore fealty and homage to King Edward I. of England, on the subjugation of Scotland,  
 in the year 1296. (The Ragman Rolls, p. 164.)]

<sup>a</sup> [Sir Niel or Nigel de Bruys, (the third brother of King Robert I.), a youth of great  
 beauty, was taken by the English in the castle of Kildrummy, and was put to death at  
 Berwick, or at Newcastle, in the year 1306. (J. Forduni Scotichronicon, lib. xii., cap. xi.,  
 vol. ii., p. 233; Scalacronica, p. 131; Chronicon de Lanercost, p. 206; Lord Hailes'  
 Annals of Scotland, vol. ii., pp. 13, 14.) The Archdeacon of Aberdeen relates that  
 tidings of the capture of the young knight and his companions were brought to the English  
 King as he lay on his death-bed at Burgh-on-the-Sands, and that, when it was asked of  
 him what should be done with these captives, he exclaimed, with a ghastly smile, Hang  
 and draw :

" Then lukyt he angryly thaim to

" And said gynnand ' Hyngis and drawys.' "

(Barbour's Bruce, book iii., ll. 549, 550; p. 74, edit. 1820.)]

<sup>1</sup> [Abridged from a copy in the charter room at Slainae.]



suam plenariam potestatem ad proseguendum pro se et in nomine suo jus patronatus ecclesie de Errolle injuste ab eo alienatum et detentum ut dictus constituens asserit . tam in consilijs generalibus regni Scotie coram domino nostro Rege ac domino nostro episcopo Sancti Andree seu domino nostro et papa sanctissimo Domino Eugenio quarto seu eorum commissarijs . etiam in concilijs generalibus et specialibus uniuersalis ecclesie . necnon in domo capituli ordinis Cartusianorum aut alibi ubicunque . et ad intimandum predictis domino nostro Regi vel episcopo aut alijs quibuscunque et iisdem exponendum qualiter olim quondam nobilis et potens dominus Dominus Willelmus de Haia dominus de Erolle et constabularius hereditarius dicti regni avus predicti constituentis cujus heres et successor immediatus existit . coactus ob timorem illustrissimi principis et domini Domini Jacobi . Regis nostri ultimo defuncti . fecit quandam donationem ac juris patronatus predicte ecclesie de Erolle alienationem sibi hereditarie et successoribus suis . sub spe et conditione cujusdam recompensationis aliarum ecclesiarum patronatus ad valorem dicte ecclesie de Erole quam sibi similiter hereditarie promisit idem Rex . in fauorem ejusdem foundationis ecclesie collegiate ordinis Carthusiensis prope villam de Perth per eundem illustrissimum principem in eodem regno noviter fundate . Quamquidem recompensationem predictus quondam dominus de Erroll a predicto domino Rege ultimo defuncto licet sepius rogatam minime recuperare potuit . Propter quas causas et alias predictus constituens dicit predictam alienationem nullam fuisse et dictum jus patronatus sibi integre et indubite pleno jure spectare . Et super hujusmodi intimatione remedium juris a domino nostro Eugenio papa quarto cum omni humilitate et instantia postulare ac etiam ab alijs principibus et prelati et ceteris quibuscunque quorum interest requirere et exponere et cum omni reverentia et precibus quibus decet solatium juris implorare . Et generaliter omnia alia faciendum que in premissis necessaria fuerint . Promisitque idem constituens se ratum habere quicquid per dictum procuratorem suum actum fuerit in premissis . De et super quibus predictus constituens me notarium publicum subscriptum sibi facere petiit publicum instrumentum . Acta fuerunt hec in ecclesia Fratrum Minorum ville de Dundee anno et mense quibus supra . Presentibus Willelmo de Fenton . Johanne de Culase . et Edmundo de Haia filio . cum multis alijs testibus .

Et ego Johannes Idill clericus Sancti Andree diocesis publicus auctoritate Imperiali notarius [*etc.*] .

Decretum de jure patronatus ecclesie de Errole . <sup>1</sup> (A.D. 1450.)

Jacobus Dei gratia Rex Scotorum . omnibus [etc.] . **Salutem** . Sciatis nos quoddam actum in concilio nostro generali [etc.] datum [etc.] inspexisse in hec verba . . Die duodecimo mensis Maij anno Domini millesimo quadringentesimo quinquagesimo . in concilio excellentissimi principis ac domini nostri Domini Jacobi secundi Dei gr̃tia Regis Scotorum illustrissimi tento apud Perth in ecclesia Fratrum Predicatorum die confectionis presentis acti . idem dominus Rex una cum tribus regni sui statibus presidens . fervore caritatis et cordis sincera affectione quas habuit erga magnificum et potentem dominum ac consanguineum suum Willelmum dominum le Haya constabularium Scotie inductus . in recompensationem juris patronatus ecclesie de Errole per dictum Dominum le Haya et suos antecessores quondam bone memorie domino Jacobo primo Scotorum Regi illustrissimo ipsius genitori gr̃tanter concessi . jus patronatus ecclesie de Turray Aberdonensis diocesis dicto domino Willelmo le Haya et suis heredibus in feodo et hereditate in perpetuum liberẽ concessit et donavit ac per suam cartam magno suo sigillo sigillatam concedere donare et confirmare promisit . Quo facto Willelmus dominus le Haya predictus jus patronatus ecclesie de Turray propter recompensationem juris patronatus ecclesie de Errole . ampliorem tamen gratiam domini Regis ad ipsius beneplacitum expectando . sponte et hilariter accepit et coram eodem supremo domino nostro Rege ad genua prostratus omne jus et juris clameum possessionem et proprietatem que ipse vel antecessores sui in vel ad jus patronatus ecclesie de Erol habuit habuerunt vel quovis modo habere poterant pro se et heredibus suis in manibus dicti domini nostri Regis per fustem et baculum sursum reddidit pureque et simpliciter . ac ob devotionem quam erga venerabiles et religiosos viros Priorem et conventum domus Vallis Virtutis ordinis Carthusiensis prope burgum de Perth . dictam ecclesiam de Erol obtinentes . habet et habere intendit . necnon ob salutem anime sue et animarum antecessorum et successorum suorum . resignavit . seipsum et heredes suos a predicto jure patronatus in perpetuum excludendo et pro perpetuo quietando . Datum et extractum de registro per me Johannem de Scheues clericum rotulorum et registri excellentissimi principis et domini Domini Jacobi secundi Regis Scotorum illustrissimi

<sup>1</sup> [From the original, in the charter room at Slaines.]

sub testimonio appensationis mei sigilli . Apud Perth die mense et anno supradictis . . *QUODQUIDEM* actum [*etc.*] in omnibus suis punctis [*etc.*] pro nobis et successoribus nostris [*etc.*] pro perpetuo confirmamus [*etc.*] . Datum sub testimonio magni sigilli nostri . Apud Striueline decimo sexto die mensis Maij anno regni nostri decimo quarto .

Carta super jure patronatus ecclesie de Turreff . <sup>1</sup> (A.D. 1456.)

Jacobus Dei gratia Rex Scotorum . omnibus [*etc.*] salutem . Quia alias . in concilio nostro generali apud Perth tento in mense Maij anno Domini millesimo quadringentesimo quinquagesimo . coram tribus regni nostri statibus . dedimus [*etc.*] Wilhelmo comiti de Erolle domino le Hay constabulario regni nostri . in recompensationem juris sui patronatus ecclesie de Erolle . jus patronatus ecclesie de Turreff Aberdonensis diocesis . Nos igitur fervore caritatis et affectione cordis quas habemus erga dictum nostrum consanguineum de novo dedimus [*etc.*] dicto Willielmo comiti de Errol dictum jus patronatus ecclesie de Tureff [*etc.*] . Tenendum et habendum dictum jus patronatus [*etc.*] dicto Willielmo comiti de Erolle et heredibus suis in feodo et hereditate in perpetuum [*etc.*] . In cujus rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . Testibus reverendis in Christo patribus Georgio et Roberto Brechinensis et Dunblanensis ecclesiarum episcopis . dilectis consanguineis nostris Thoma domino Erskin . Alexandro domino Montgomery . Patricio domino Haillis . Jacobo domino Hamilton . Jacobo de Levingstoun magno camerario nostro . Alano domino Cathkert . et Willielmo de Moravia de Tullibarden . Apud Striueline secundo die mensis Aprilis anno Domini millesimo quadringentesimo quinquagesimo sexto et regni nostri vicesimo .

Band be Gilbert the Hay for the personage of Turref . <sup>1</sup> (A.D. 1450.)

Be it kend till al men be thir present lettres me Gilbert the Hay to be lely and truly oblist [*etc.*] of love and kyndnes that I haf to do honour and profit to the stock that I am a branch of . that frae tyme that I sal be God willand in peaceable possession resaiuand and joysand frely the benefice of Turray prebend of Aberdene that I sal yeirly giwe and pay till my Lord the Constable of Scotlandis bretheren / to hald them at the

<sup>1</sup> [From a copy, in the charter room at Slaines.]

scale that will be clerkis ay while thay be benefited or ony of thame that may hald the lawe / fourty pundis of Scots payment or els three-score of golden crownis of French gold payid yeirly in Abirden at twa vsuall termis in the year Qubitsunday and Martymasse be ewin portionis to thaim or thair deputis or tyll wham that my said Cheiff and Lord charges me be his writte to pay it till / bot fraud or gyle revocation or contradiction in ony tyme to come . Witnes myne eldest brotheris sele quhilk is the sele of myne armes hereto set in absence of myne awn sele at the kirk of Erole the . xxiiij . day of Junij the yeir of grace . m<sup>o</sup> . cccc<sup>o</sup> . and fyfty / befor thir witness . that is to say Alisander of Forbes lord of Kinaldy . David Oglivie of Inchmartine . and David the Hay younger . with mony vtheris .

Preceptum Episcopi pro instituendo Magistrum Gilbertum de Haya in prebendam et canonicatum de Turref .<sup>1</sup> (A.D. 1460.) .

Thomas Dei et Apostolice sedis gratia Episcopus Aberdonensis . venerabili viro magistro Laurentio Pyot archidiacono Aberdonensi [*etc.*] . Salutem cum benedictione diuina . Quia canonicatus et prebenda de Turreff in ecclesia nostra cathedrali Aberdonensi de jure et de facto vacantes per mortem quondam magistri Johannis de Campo ultimi possessoris eorundem . ad presentationem nobilis et potentis domini Willelmi comitis de Erole domini de Hay constabularij Scotie nostramque collationem pleno jure spectantes . venerabili viro magistro Gilberto de Hay per dictum dominum comitem de Erole nobis presentatum diuine caritatis intuitu contulimus ac ipsum magistrum Gilbertum per annuli nostri traditionem investimus in eisdem et per presentes investimus . Vobis igitur [*etc.*] mandamus quatenus predictum magistrum Gilbertum [*etc.*] in realem [*etc.*] possessionem dictorum canonicatus et prebende [*etc.*] instituatis [*etc.*] . In cuius rei testimonium sigillum nostrum presentibus est appensum . Apud Edinburgh decimo sexto die mensis Januarij anno Domini millesimo quadringentesimo quinquagesimo nono .

<sup>1</sup> [From a copy, in the charter room at Slainea.]

Litera Wilhelmi comitis de Erole super prebenda de Turef .<sup>1</sup> (A.D. 1484.)

Willelmus comes de Errol dominus le Haya constabularius Scotie ac patronus prebende de Turreff infra ecclesiam cathedralem Aberdonensem situate . dilectis consanguineis nostris presidenti ac capitulo Aberdonensi ejusdem sede episcopali vacante . Salutem . Quia alias nostri consanguinei carissimi magistri Thomas Haya et Johannes Haya suas ex certis causis rationabilibus . videlicet . Thomas prebendam de Cruden et Johannes prebendam de Turreff . autoritate ordinaria insimul concommutare desiderant nostro ad hec speciali consensu desuper requisito et habito . ac presentatione desuper nostra eidem Thome concessa de Turreff . vigore huius institutionis canonice uterque illorum Thome et Johannis intravit habuit et possedit . dictoque Johanne nostro presentato et instituto in Turreff ignorante prebendam de Cruden fuisse aut esse litigiosam aut in rota Apostolica tunc in lite pendentem . habitaque notitia ejusdem litis dictus Johannes noster presentatus de Turreff solemniter protestabatur quod litigare noluit sed regressum ad suam prebendam de Turreff habere voluit cum justam ignorantie causam habuit videlicet prebendam de Cruden fuisse litigiosam et Apostolice sedi reservatam . quibus protestationibus ejusdem Johannis nostri presentati omni tempore adhesimus consensimus prout adhuc adheremus et consentimus de presenti . Vobis igitur et vestrum cuilibet cui vel quibus collationes aut admissiones beneficiorum pertinent sede episcopali Aberdonensi vacante intimamus insinuamus et declaramus quod intentionis nostre semper fuit eundem Johannem nostrum presentatum habuisse et habere regressum ad suam prebendam de Turreff debere omni tempore quo sibi placuerit prout de presenti placet . vestras igitur consanguinitates exortando rogantes quatenus eundem Johannem ad suam prebendam de Turreff de novo admittatis et regressum eidem habere autoritate ordinaria decernatis . et in quantum opus est et jus commune permittit eundem Johannem vobis de novo presentamus . rogantes ut ad eandem prebendam de Turreff de novo admittatis et instituatis . stallum in choro et locum in capitulo eidem prebende de Turreff solitis et consuetis eidem assignando . faciendo quod decreveritis per censuram ecclesiasticam observari ceteraque faciendo que in premissis vobis desuper incumbunt peragenda . Datum sub sigillo nostro apud

<sup>1</sup> [From a copy, in the charter room at Slaines.]

Slanis sexto die mensis Nouembris anno Domini millesimo quadringentesimo octuagesimo quarto .  
 William erle off Erroll

Carta sub magno sigillo Supremi Domini nostri Regis infeodationis terre ecclesiastice de Turreff in burgum in baronia cum certis privilegijs ac libertatibus ejusdem .<sup>1</sup> (A.D. 1512.)

Jacobus Dei gracia Rex Scotorum . Omnibus [*etc.*] Salutem . Sciatis quod pro speciali favore quem gerimus erga dilectum familiarem clericum nostrum Magistrum Thomam Diksone prebendarium de Turreff infra ecclesiam cathedralem Abirdonensem . et pro edificatione et policio fiendis apud ecclesiam parrochiale de Turreff antedictam . pro aiasamento et hospitalione liegeorum nostrorum illuc confluentium . Nos de consensu et desiderio dilecti consanguinei nostri Willelmi comitis Errolie domini Hay ejusdem ecclesie et prebende de Turreff patroni . fecimus et creavimus [*etc.*] totas et integras terras ecclesiasticas villam et glebam dicte ecclesie de Turreff cum pertinentiis . jacentes infra vicecomitatum nostrum de Aberdeen . in liberum burgum in baronia in perpetuum . Concedimus etiam inhabitantibus dictum burgum et inposterum inhabitaturis plenariam potestatem et liberam facultatem vendendi et emendi in eodem vinum ceram pannum laneam et lineum latum et arctum ac omnes alias marcantias . ac cum potestate ac libertate tenendi et habendi in dicto burgo pistores brasiatores carnifices et tam piscium quam carnum macellarios omnesque alios artium operarios ad libertatem burgi in baronia spectantes . Concessimus etiam [*etc.*] quod in dicto burgo sint liberi burgenses et quod iidem potestatem habeant omni tempore affuturo eligendi annuatim . cum dicti magistri Thome et successorum suorum dicte ecclesie prebendariorum avisamento . balivos omnesque alios officarios pro gubernatione ejusdem burgi necessarios . cum potestate burgensibus inhabitantibus dictum burgum habendi et tenendi in eodem pro perpetuo crucem foralem ac forum die Sabbati singulis ebdomadis . ac nundinas publicas singulis annis in Festis ad Vincula Sancti Petri nuncupatis Lammes . et Sancti Congani . et per octavas eorundem festorum cum omnibus theoloneis libertatibus et privilegiis ad liberas nundinas spectantibus seu spectare valentibus quomodolibet in futurum . ac cum potestate et licencia prefato Magistro Thome et successoribus suis prefate ecclesie prebendariis asse-  
dandi terras suas ecclesiasticas villam et glebam vel in toto vel in parte in

<sup>1</sup> [From the Registrum Album Ecclesie Aberdonensis, fol. cxxxj. MSS. Bibl. Adv.]

particatas burgales hereditarie . pro edificatione super eisdem faciendo in proficuum dicte ecclesie et prebendariorum eiusdem vel saltem sine detrimento eorundem . Tenendas et habendas totas et integras predictas terras ecclesiasticas villam et glebam ecclesie de Turreff antedictas cum pertinentiis in liberum burgum in baronia in perpetuum . cum privilegiis libertatibus et concessionibus suprascriptis ac cum omnibus aliis et singulis libertatibus proficuis et aisiamentis ac justis pertinentiis quibuscunque ad liberum burgum in baronia spectantibus seu quoquo modo spectare valentibus in futurum . adeo libere in omnibus et per omnia sicut aliquis burgus in baronia per nos vel predecessores nostros liberius infeodatur infra regnum nostrum . sine aliqua revocatione seu contradictione quacunque . In cujus rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . Testibus reverendis in Cristo patribus Alexandro Sancti Andree archiepiscopo *etc.* cancellario nostro . Wilhelmo episcopo Abirdonensi nostri secreti sigilli custode . Andrea episcopo Cathinensi thesaurario nostro . dilectis consanguineis nostris Archbaldo comite de Ergill domino Campbell et Lorne magistro hospitii nostri . Matheo comite de Lenox domino Darnelie . Alexandro domino Hwme magno camerario nostro . Andrea domino Gray justiciario nostro . magistris Gavino Dumbar archidiacono Sancti Andree clerico rotulorum registri ac concilij nostri . Patricio Panyter rectore de Tannades secretario nostro . et Roberto Colvill de Uchiltre nostre cancellarie direttore . Apud Edinburgh decimo die mensis Martij anno Domini millesimo quingentesimo undecimo . et regni nostri vigesimo quarto .

Assedatioun of the teynd scheaves of the kirk of Turreff . <sup>1</sup> (A.D. 1545.)

Be it kend till all men be thir present lettres me Johne Erskein parson of Turreff . with aduyce consent and authoritie of my deirest fader Schir Thomas Erskein of Brechin knicht curator and gouernour to me . to haue set [*etc.*] to a nobil and michtie lord George earle of Errol lord Hay [*etc.*] . all and hail the teind scheives of the paroch of Turreff lying within the diocie of Aberdeine togeder with all and sundry vthir profitis and emolumentis whatsoever pertening to the vicarage and parsonage of the said kirk of Turreff / with the gleib kirk landis and milne of the samen feu maillis of Kaikinch and kirktoune of Turreff . for all the days and termes

<sup>1</sup> [From a copy, in the charter room at Slaines.]

of three yeris nixt and immediatly followand [*etc.*] the Feast of the Invention of the Haly Croce callit Beltane next [*etc.*] . The said nobil Earle [*etc.*] sustenand tharfor upon thar own expenss a sufficient curat at the kirk and a stalare in the cathedrall kirk of Aberdene with all and sundry vthir chargis ordinarie baith of the vicarage and parsonage . and to me yeirly [*etc.*] the sum of three hundreth merkis [*etc.*] . Attour I with advyse of my said dearest fader faithfully bindis and oblysis me by the faith and truth in my body [*etc.*] for the help supplie and maintenance done and to be done to me in defence of my richt of the said parsonage to set the said hail viccarage and personage [*etc.*] after the completing of the said three yeris to the said Erle [*etc.*] for the space of vthir three yeris [*etc.*] and sua furth from three yeris to three yeris sa lang as I bruke the said parsonage [*etc.*] . Attour [*etc.*] I faithfully bind [*etc.*] me to the said Erle never to resign [*etc.*] the said parsonage without his avise and consent tharto . And for sicker payment to be made to me yeirly of the soumis abouewritten Peter Hay of Meginch John Ramsay of Nevoy and William Kynman of Hill sall be actit conjunctlie and severallie or any other sicklyke three substantious and responsall men [*etc.*] in the consistorie bukes of Sanct Andrews Brechin or Aberdene under the panis of cursing [*etc.*] . Provyding always that the assedatioun made be me to William Lindsay and the remanent tenentis of the kirktown and gleib feild and teind scheives tharof and to the lard of Delgaty of the teind scheues of his landis be observit and keptit after the tenor of my assedationis made to them tharupon . In witnes herof to thir presentis subscriuit be my said fader and me our seillis are affixit at Abrethin the eight day of September the yeir of God . j<sup>m</sup> . v<sup>c</sup> . fourty four yeris . Befor thir witnessis Maister Robert Erskine dean of Aberdeen . James Scrymseor parson of Fordece . George Hay of Leyis . Maister Alexander Hay and Maister Nichol Robertson nottaris publict with diverse vtheris .

The set of the teyndis of the parochin of Turreff . <sup>1</sup> (A.D. 1588.)

Be it kend till all men be thir present lettres me Maister William Hay parson of Turreff till have set and in assedatioun latten [*etc.*] to an noble and michtie lord Francis earle of Erroll lord Hay and Constabil of Scot-

<sup>1</sup> [From a copy, in the charter room at Slaines.]



land [*etc.*] the teyndis greit and smal baith personage and vicarage of the parishen of Turreff [*etc.*] for all the space yeiris and termis that it shall happin me to be on life and for the space of five yeiris nixt after my deceise [*etc.*] . Exceptand and reservand always to me the maillis teind sheaves and duteis of the town and landis of Turreff [*etc.*] . Payand therfor yeirly the said noble lord [*etc.*] the present rentall according as the same is gevin up be me [*etc.*] . And for more sure payment to be made to me the said noble lord shall make sik yeirly chamberlainis and factouris as I pleise to nominat for vptaking and receaving the said yearly rentall [*etc.*] . In witnes of the quhilk to this present set and assedation subscrivit with my hand my seill of armis is appendit at Turreff the fyftein day of Februar the yeir of God j<sup>m</sup> v<sup>e</sup> four scoir sevin yeiris . Befor thir witnessis Maister John Chein of Fortrie Alexander Hay of Frosterseit Gilbert Davidson my servitor Maister Alexander Craig and William Ogstoun in Tureff nottar .

Lettre of tak and assedatioun of the personage of Turreff . <sup>1</sup> (A.D. 1588.)

Be it kend till all men be thir present lettres me John Philp parson of Tureff [*etc.*] with express consent [*etc.*] of ane reverend father David bischop of Aberdene president and chapter of the same chapterly gadderit [*etc.*] till have set and in assedatioun latten to the richt nobil and michtie lord Francis earle of Errol lord Hay and Constable of Scotland [*etc.*] . all and hail the teindis teind sheavis fruitis rentis profitis duteis and emolumentis of my said benefice of the parish of Turreff baith parsonage and vicarage therof [*etc.*] for nyntein yeiris next and immediatly following the said noble lord his first entres in and to the same . Quhilk entres in and to the vicarage forsaid [*etc.*] began at the Feist of Rudeday callit the Inventioun of the Cross alias Beltyn [*etc.*] in this instant yeir of God j<sup>m</sup> v<sup>e</sup> four scoir and aucht yeiris / and shallbe and begin God willing in and to the said personage [*etc.*] at the Feist of Lammes callit Ad Vincula Petrj nixt to come [*etc.*] . Payand tharfor yeirly [*etc.*] the soume of three hundreth thretty nyn poundis nyn schillingis aucht penneis vsuall money of Scotland wherof the soume of one hundreth poundis is payd for the vicarage [*etc.*] and also for the said personage / by the teind sheavis aboue specifeit / four scoir seventeine bollis sufficient ait meall / elevein suffi-

<sup>1</sup> [From a copy, in the charter room at Slaines.]

cient wedder sheip . elevein dosane of caponis and sex bellis aitīs according to the present rentall of the same / or the soume of ten shillingis money forsaid for ilk boll of the said meall / and the soume of five shillingis for ilk wedder sheip / and the soume of five shillingis for ilk boll aitīs / and the soum of twelve penneis for ilk capon [*etc.*] in the will and option of the said noble lord [*etc.*] . In faith and witnes to the quhilk [*etc.*] my seil togider with the seil of the said reverend father and common seil of the said chapter in sign and token of their consentis hereto are appendit at Turreff and the fourtein day of May the yeir of God j<sup>m</sup> v<sup>c</sup> four score and aucht yeiris . Befor thir witnes Alexander Hay of Finniefield George Edmund Harie Drummond and William Ogston nottar publict .

Carta Walteri Lessly concessa Alexandro Fraser terrarum de Auchinchogyle et Meikle Fyntra .<sup>1</sup> (A.D. 1375.)

Omnibus hanc cartam visuris vel audituris . Walterus Lessly miles dominus de Ross et Eufamia Ross sponsa sua . Salutem in Domino sempiternam . Noueritis nos unanimi consensu et assensu dedisse [*etc.*] dilectis confratri et sorori nostre Alexandro Fraser militi et Jonete Ross sponse sue . et eorum alteri diucius viuenti . totas et integras terras meas de Auchinchogyle cum pertinentijs . et terras meas de Meikle Fyntra cum pertinentijs jacentes in comitatu Buchanie infra vicecomitatum de Aberdene . nec non terras nostras de Crekiltoun cum pertinentiis jacentes in dominio Gallvydie infra vicecomitatum de Wigtoun . et annum redditum octo decem librarum sterlingorum annuatim leuandum [*etc.*] de totis et integris terris de Farindonald in Ross cum pertinentiis jacentibus infra vicecomitatum de Inuernes . in merum liberum et legitimum excambium ac in recompensationem [*etc.*] plenariam dictorum Alexandri militis et Jonete ac heredum suorum pro uniuersis et singulis suis partibus hereditarijs terrarum de Ross cum pertinentiis jacentibus infra vicecomitatum de Inuernes . per dictos Alexandrum et Jonetam sponsam suam unanimi consensu et assensu pro se et heredibus suis sibi in excambium et contentationem nostrorum Walteri et Eufamie et heredum nostrorum pro dictis terris et annuo reddito nostris datis hereditarie et concessis . Tenendas et habendas totas et integras terras predictas [*etc.*] et annum

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

redditum [etc.] dictis Alexandro et Jonete sponse sue et eorum alteri diucius viuenti et heredibus inter ipsos legitime procreatis seu procreandis . quibus deficientibus heredibus legitimis dicte Jonete quibuscunque . a nobis et heredibus nostris de supremo domino nostro Rege et successoribus suis . in merum et legitimum excambium et contentationem antedictam . in feodo et hereditate perpetuo [etc.] . Reddendo inde annuatim [etc.] supremo domino nostro Regi [etc.] seruicium dictarum terrarum et annui redditus debitum et consuetum ac wardam et releuium cum contingit [etc.] . In cuius rei testimonium sigillum meum presentibus est appensum . apud Aberdeen quarto die mensis Junij anno Domini millesimo . ccc<sup>o</sup> . septuagesimo quinto . Testibus Willelmo comite de Douglas . Georgio de Dunbar comite Marchie . Archibaldo de Douglas . Roberto Erskyne . Willelmo de Dyschyntoun militibus . et Thoma de Ret cum multis alijs .

Confirmacio Regis super carta Domini de Ross . <sup>1</sup> (A.D. 1405.)

Robertus Dei gratia Rex Scotorum . Omnibus [etc.] Salutem . Sciatis nos approbasse donationes concessiones conditiones et pacta quas fecit et concessit quondam Walterus de Lesli miles dominus de Ross dilecto fidei nostro Alexandro Fraser militi . de certis terris cum pertinentijs et annuis redditibus jacentibus infra comitatus de Rosse et de Buchane ac dominium Galvidie . Tenendas et habendas dicto Alexandro et heredibus suis in feodo et hereditate [etc.] . Saluo nobis et heredibus nostris seruicio nostro inde debito et consueto . In cuius rei testimonium presenti carte nostre confirmationis nostrum precepimus apponi sigillum . Testibus reuerendo in Christo patre Gilberto episcopo Aberdonensi cancellario nostro . Willelmo de Conyngam de Kilmauris . David Flemyng de Biggar . Johanne de Ross de Hauukhede militibus . Johanne Senescalli fratre nostro naturali clerico probationis domus nostre . Johanne de Crawfordde custode sigilli nostri secreti secretario nostro in remotis agente . et Jacobo de Reomonth . Apud Dundonald vicesimo octauo die mensis Octobris anno Domini millesimo quadringentesimo quinto . et regni nostri anno sexto decimo .

Transsumptum carte suprascripte datum fuit sub testimonio sigilli excellentissimi principis Domini Jacobi Dei gratia Regis Scotorum illustrissimi ad instantiam Willelmi Fraser de Filorth

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

apud Perth vicesimo quarto die mensis Martij anno Domini millesimo quadringentesimo vicesimo quarto . et regni sui decimo nono .

Litera obligatoria Johannis Fraser super terris de Achinsogill et Delgeddy . <sup>1</sup> (A.D. 1385.)

Pateat uniuersis per presentes nos Johannem Fraser dominum baronie de Cowie et de Durres . teneri [*etc.*] Johanni Fraser fratri nostro . quod si aliquo processu legitimo contigerit per aliquem [*etc.*] heredum nostrum [*etc.*] de terris de Achinsogill Plady Delgeddy cum Le Quarrell . de quibus ipsum Johannem Fraser hereditarie infeodauimus pro se et heredibus suis de corpore suo legitime procreatis . expelli aut aliquialiter remoueri [*etc.*] . idem Jphannes Fraser possideat et habeat libere pro se et heredibus suis [*etc.*] . omnes terras nostras baronie de Durres infra vicecomitatum de Kincardin [*etc.*] . adeo libere [*etc.*] sicut nos ipsas terras de Durres de domino nostro Rege [*etc.*] tenemus [*etc.*] . in recompensationem terrarum de Achinsogill Pladi Delgedy et Le Quarrell in Buchania supremo expressatarum . Ad que omnia et singula nos obligamus et heredes nostros et omnia bona nostra mobilia et immobilia [*etc.*] . In cujus rei testimonium presentibus sigillum nostrum est appensum . apud Aberdeen . ultimo die mensis Julij anno Domini millesimo tricentesimo octuogesimo quinto .

Sasina Willelmi Hay in terris de Auchinchogyll . <sup>2</sup> (A.D. 1478.)

In Dei nomine Amen . Per hoc instrumentum pateat quod anno ab incarnatione Domini secundum computum et cursum ecclesie Scoticane millesimo quadringentesimo septuagesimo septimo mensis vero Januarij die secundo . In mei notarij publici presentia honorabilis vir Willelmus Crauford de Fedrat balius nobilis et potentis viri Domini Alexandri Fraser

<sup>1</sup> [From a copy in the charter room at Slaines.

The same lands of Auchinchogill, Plady, and Delgedy, were granted to John Fraser by his brother Sir Alexander Fraser, knight, lord of Cowie, in the year 1378, by a charter which was confirmed, in the year 1397, by the granter's son and heir, " Willelmus Fraser filius et heres Domini Alexandri Fraser militis domini baronie de Cowy ac domini de Philorth." Copies of the charters are preserved in the charter room at Slaines. (Collections for a History of the Shires of Aberdeen and Banff, pp. 470, 471.)]

<sup>2</sup> [Abridged from a copy in the charter room at Slaines.]

de Philorth militis tradidit et cum terra et lapide dedit honorabili viro Willelmo Hay de Ardendracht saisinam hereditariam terrarum de Auchinchogyll cum pertinenciis jacentium in baronia de Fillorth infra vicecomitatum de Aberdene . Acta erant hec super solum dictarum terrarum presentibus ibidem honorabilibus viris Willelmo Leith de Barnis . Thoma Coupland de Udoch . Georgio Burnet de Gask . Daudid Forbes . Duncan Sanchar de Muircroft . Alexandro Mortimer filio et herede apparente Johannis Mortimer de Auchinbed . Daudid Ogston . Patricio Benton . Andrea Benton cum multis aliis . Thoma Cowie presbitero Aberdonensis diocesis notario publico .

Indenturis betuyx Gilbert the Hay of Dellgattie and Jhon Cheyne of Esselmounth .<sup>1</sup> (A.D. 1494.)

This indentur maid at Edinburcht the nynt day of Junij . j<sup>m</sup> . iiij<sup>c</sup> . lxxxxiiij . yeris beris witnes that it is appontit betuex honorabill men Gilbert the Hay of Dellgattie and Jhon Chene of Esselmont that eithir of the saidis parteis sal in al tym to cum stand to othir in tender and herty luffe freindschip lautie and kyndnes for al the dayis of thair lyfe / and that nathir of tham heir nor wit the tothirs peril nor scaith but he sal warn him tharof and stop the samen at his power . and that eithir of tham sal gif to othir the best counsal thai can / and to stand for othir in al thair honest and leful actiounis aganis al othir personis / thare allegiance to our souerane lord the King and thar manrentschip to thar lordis that thai ar now bundin to allenarlie exceptit . And als it is appointit that Henry Chene son and appeirant air to the said Jhon Chene sal God willing marrie / and haue to wife in visage of Haly Kirk / Marjorie the Hay dauchter to the said Gilbert ; and faillieing of the said Henry by decease befor the compleating of the said mariage / Patrik Chene his brothir sal marie the said Marjorie . quhilk mariage sal be completit as sone as the said Henry and failying of him the said Patrik comis to the age of . xiiij . yeiris . For the quhilk mariage the said Gilbert sal pay to the said Jhon the sowme of thre hundreth and twenty merkis vsual money of Scotland . Alsua the said Jhon Chene sal put the said Henrie in the fee of his landis of Esselmont and Arnage / reseruand to the said Jhon the frank tenement of the said landis for al the dais of his lyfe and the resonabil terce of

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]

the same to his spous togidder with twenty merkis worth of the said landis for al the days of her lyfe . Lykeas the said Henry Chene sal incontinent efter the mariage betuix him and the said Margerie geif to her twelff merkis worth of the said landis / and the said Jhone sal geife ovr to tham the frank tenement of the samen . xij . merkis worth of land to thair sustentatioun and leiving . To the fulfylling of all the poyntis abouewrittin the saidis parteis are bundyn be the faithis and treuthis in thair bodeis the Haly Ewangellis tuichit / and in witnessing tharof thai haue interchangeabillie affixit thair seillis with the subscription of thair handis to thir indenturis day yeir and place aboue expremit .

Band to Essilmond .<sup>1</sup> (A.D. 1501.)

Be it kend til al men us Wilyeam Hay of Ardendracht and Gilbert Hay my son and appearand ayr to be bundin to our traist freind Jhone Chene of Essilmont in the soume of sex score of poundis vsual money of Scotland to be pait to the said Jhon in pairt payment of a mair soum for the compleiting of a mariage betuix Henry Cheine son and appearant ayr to the said Jhon and Marjorie the Hay dauchter to me the said Gilbert . In witnes hereof becaus I the said Wilyeam Hay had na seil propir present of my awn I have procurit the seile of an honorabill man Dauid Strauquhan of Thorntoun to thir presentis to be affixit . and I the said Gilbert the Hay has set to my seile with subscriptionis of our handis at Ardendracht the fyftein day of January a thousand and fyfe hundreth yeris . Befor thir witnes Thome the Hay / Maister James the Hay sonnys to the said Willyam . Henry Chene . Andro Hay . Andro Tulidaff . with otheris diuers .

W<sup>m</sup> Hay of Ardendra<sup>t</sup>  
Gilb<sup>t</sup> Hay

Instrumentum super resignacione terrarum de Delgaty .<sup>1</sup> (A.D. 1503.)

In Dei nomine Amen . Per hoc instrumentum cunctis pateat quod anno incarnationis Dominice millesimo quingentesimo tertio mensis vero Maii die decima . in mei notarii publici presentia comparuit honorabilis vir Andreas Wode de Fothorkerne procurator honorabilis viri Wilelmi Fraser de Philorth / de cuius procurationis mandato michi per literas constabat

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]

quarum tenor sequitur . . SERENISSIMO et excellentissimo principi et domino Domino Jacobo Dei gratia Scotorum Regi vester humilis et fidelis ligius Willelmus Fraser de Filorthe . reverentias debitas . in vestre serenissime Majestatis manibus omnes et singulas terras meas de Auchinschogle cum molendino eiusdem . Delgaty cum quarrellis eiusdem . Kynminity Loncarty et Plady cum pertinentiis . jacentes in vicecomitatu de Aberdene quas de vobis teneo in capite / pure et simpliciter per presentes tanquam per fustim et baculum reddo et resigno . et ad hec constituo nobiles et honorabiles viros Willelmum magistrum de Eroll / Alexandrum Keith de Lichty / dominum Johannem Ruderfurd militem / Johannem Elphinston de Artht / Andream Elphinston de Selmes / et Andream Wode de Fothirkerne / meos veros executores . In cuius rei testimonium sigillum meum presentibus est appensum apud Monasterium de Deir penultimo die mensis Martii anno Domini millesimo quingentesimo secundo . coram hiis testibus Johanne Fraser . Thoma Hay . David Kynnard de Taylady . Alexandro Smytht . Andrea Wacht . et magistro Alexandro Massie notario publico . . Post quarumquidem literarum perlectionem idem Andreas accessit ad presentiam serenissimi domini nostri Regis et ibidem genibus flexis omni cum humilitate et reverentia omnes et singulas terras predictas in manibus sue regie Maiestatis tanquam in manibus domini superioris earundem per fustim et baculum sursum reddidit . Quaquidem resignatione sic facta idem dominus noster Rex predictas terras nobili viro Patricio Krychtoun militi tanquam acturnato Gilberti Hay filij et heredis quondam Wilelmi Hay de Ardendracht per baculi traditionem dedit . Tenendas et habendas dicto Gilberto et heredibus suis in feodo et hereditate de supremo domino nostro Rege in perpetuum . Acta erant hec in camera Regia infra villam de Kirkcudbrich hora nona ante meridiem presentibus ibidem venerabili in Christo patre David electo monasterii de Cambuskenneth . Andrea domino Avendale primo hostiario camere Regis . magistris Ricardo Mureheid decano Glasguensi secretario Regis . Jacobo Beton preposito de Boychtivill . domino Jacobo Kynoraige rectore de Spot . magistro Johanne Hay . Willelmo Stenhous . et Jacobo Doge cum diuersis aliis testibus . Johanne Murray artium magistro clerico Sancti Andree diocesis notario publico .

The letter of reuersioun on Delgaty .<sup>1</sup> (A.D. 1503.)

Be it kend till al men me Schir Willame Fraser of Fillorth knycht til be boundin til ane nobill and worschipful man Schir Gilbert Hay of Arddiendracht knycht that nochtwithstanding the said Schir Gilbert hes sauld to me the landis of the town of Delgaty Lonkarty and Plady in the barony of Delgedy within the shirefdome of Aberdene / nevertheles I obliss me that quhow sone the said Schir Gilbert pay to me the soume of five hundreth merkis usual money of Scotland apone the heye altar of Aberdene within the paroch kirk of the samen / betuix the date heirop and the Feist of Sant Michael the Archangel callit Michelmes nixt to cum / I sal frely upgif and resigne to the said Schir Gilbert the foressaid landis . In vitnes of the whilk thing I the said Schir Wilyeam Fraser haf appendit to thir my present letteris of reuersioun my propir seil at Edinburgh the ferd day of December the yher of God . j<sup>m</sup> . v<sup>c</sup> . and thre yheris . befor thir witnessis Willame master of Errole knycht . Schir Willame Keyth of Inverowgy knycht . Archbald Keyth . Andro Strathaghan . Wilyeam Crawford . and Sir Nichol Borthane publict notar with vtheris diuers .

Instrumentum redemptionis terrarum de Delgaty .<sup>1</sup> (A.D. 1504.)

In Dei nomine Amen . Per hoc instrumentum pateat quod anno ab incarnatione Domini millesimo quingentesimo quarto mensis vero Maij ultimo die / in mei notarii publici presentia Willelmus Fraser de Filorth miles fatebatur sibi fuisse satisfactum . per honorabilem virum Gilbertum Hay de Arddiendracht militem . de summa quingentarum mercarum vsualis monete regni Scocie sibi debita pro redemptione terrarum de Delgaty Loncarty et Plaidy cum pertinentiis jacentium in baronia de Delgaty et infra vicecomitatum de Aberdene . Quapropter dictus Wilelmus predictas terras in manibus dicti Domini Gilberti Hay simpliciter resignauit et in signum premissorum dictus Dominus Wilelmus sigillum suum huic instrumento apponendum decreuit . Acta erant hec in capitulo Fratrum Minorum de Aberdene hora circa undecimam ante meridiem / presentibus ibidem nobilibus et honorabilibus viris et dominis Wilelmo Hay magistro de Erol .

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]



Waltero Oglivy de Boyne militibus · Georgio Oglivie · Johanne Oglivy de Myltownie · et Andrea Strathauchine cum diuersis aliis · Alexandro Massie presbitero Abredonensis diocesis notario publico ·

Sententia Hay contra Schaw .<sup>1</sup> (6 Marcii A.D. 1534-5.)

Nos Johannes Weddall-officialis Sancti Andree in causa mota inter Mariotam Schaw actricem ab vna et honorabilem virum Alexandrum Hay de Dalgathy reum partibus ab altera in qua petebatur ex parte ipsius Mariote prefatum Alexandrum compelli ad solempnizandum matrimonium in facie ecclesie cum eadem sua sponsa affidata in mense Marcij in anno Domini M·D·XXXII · carnali copula subsecuta vel ad allegandum causam rationabilem *etc.* Decernimus prefatum Alexandrum minime compellendum fore ad solempnizandum matrimonium in facie ecclesie cum prefata Mariota quinymmo matrimonium inter eosdem solempnizari de jure non posse nec debere sed ab inuicem diuorciandos a pretenso matrimonio si quod inter eosdem ut predictum est contractum fuisset ac liberum esse eidem Alexandro alibi contrahendi causante impedimento et ratione subscripta ex parte dicti Alexandri coram nobis allegata in termino ei assignato ad respondendum dicte petitioni et legitime probata quod videlicet diu ante dictum mensem Marcij in anno Domini M·D·XXXII · prefata Mariota carnaliter cognita erat per nobilem quondam dominum Johannem Lyoune dominum de Glammys attinentem dum vixerat prefato Alexandro in secundo et tertio gradibus consanguinitatis ipso Alexandro inscio existente in prefato mense Marcii anno quo supra de huiusmodi impedimento vel copula habita inter dictam Mariotam et prefatum quondam Johannem dominum Glammys Propterea prefatos Alexandrum et Mariotam abinuiçem diuorciamus et liberos esse alibi contrahendi decernimus .

<sup>1</sup> [From the *Liber Officialis Sancti Andree*: Curie Metropolitane Sancti Andree in Scotia, *Sententiarum in Causis Consistorialibus Que Extant*, pp. 51, 52. Edinb. 1845. Presented to the Abbotsford Club by Lord Medwyn.

A brief notice of John Hay, a learned and zealous ecclesiastic, of the family of Delgaty, who was born about the year 1545, entered the company of Jesus in the year 1566, and died at Pont-a-Mousson in 1607, will be found in Dr. Oliver's *Collections on the Lives of the Scotch, English, and Irish members of the Society of Jesus*, p. 23. Lond. 1845.]

Decreit on the merchis betuix Delgaty and Vdocht .<sup>1</sup> (A.D. 1539.)

Curia vicecomitatus de Aberdene tenta super debetabiles terras inter terras et baroniam de Delgattie Alexandro Hay hereditarie pertinentes / et terras de Udacht pertinentes Alexandro Forbes de Bruchis Alexandro Con de Auchry et Roberto Schand portionarijs earundem / vocatas Le Quarrelhill de Delgattie . per honorabilem virum Alexandrum Guthrie alias Falkland armigerum supremi domini nostri Regis / vicecomitis vicecomitatus de Aberdene per commissionem nobilis ac potentis domini Jacobi comitis Moravie vicecomitis principalis ejusdem vicecomitatus in hac parte specialiter deputatum . decimo sexto die mensis Octobris anno Domini millesimo quingentesimo trigesimo nono . sectis vocatis et curia legaliter affirmata .

The whilk day in the action pursuit be Alexander Hay of Delgate against Alexander Forbes of Bruchis Alexander Con of Auchry and Robert Schand portioneris of the lands of Udacht containit in our Sovereign Lordis lettres direct to the shirref of Aberdene . Be vertue of quhilk lettres the said shiref principall made baith the parteis to be summonit to compeir befor him on Thursday the . xvj . day of the moneth of October in the yeir of God a thousand fyve hundreth thirty nyn yeirs . The quhilk day Alexander Guthrie alias Falkland purseuant ane of the shiref deputis of the shirefdome of Aberdene in that part compeirit upon the said debateable ground betuex the landis and baronie of Delgate and Udocht and thair causit fence a shiref court of the said shirefdom and causit call baith the saids parties befor him . The said Alexander Hay compeiring be ane noble and michtie lord William lord Salton / maisteris John Hay and Thomas Austean his procuratoris on thair an part . and Alexander Forbes of Bruchis and Alexander Con of Auchrie be thair procurator Thomas Smith / and the said Robert Schand personally by himself on the othir part . after the rightis resonis allegationis and writtis of baith the parties being productit and shawin in judgment togeder with the depositionis of certain famous witnessis productit for the part of the said Alexander Hay . the said shireff fand and deliuerit that the said Alexander Hay his predecessoris and tenentis has been in peacable possession

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]

of the landis and baronie of Delgatie within the boundis underwriten as thair proper heretage in tymes bygane past memorie of man . that is to say . beginnand at Badinfuir and frathyne ascendand southeist to the Moir Carne and fra thyn southt to the Gray Stane and fra thyn south in south west as the wind and weather scheirs upon the hill betuex Delgatie and Udocht quhile ye come to the heid of the Turf Slack and fra thyn descendand doun the said Slak quhyll ye come to the burn of Delgattie . And that the said Alexander Forbes Alexander Con and Robert Schand wrongously molestit the said Alexander Hay in bruiking of the saidis landis and baronie / and in this yeir has ryven out teilit and sawin cornis upon the samen quhilk war not ryven out of befor / and pasturit thair guidis and cassin fewill upon othir partis tharof within the saidis boundis quhair nay guidis war pasturit nor feuil cassin of before / wrangously . and tharfor the shiref ordanis them to desist and ceise tharfra . In witnes of the quhilk the said shiref deput to this present rolment and decreit subscriyvit with his hand has appendit his seil at Delgattie the forsaid sixtein day of October in the yeir of God abunewriten . Befor witnessis a noble and mighty lord William lord Saltoun . William Abernethie . William Doun . and maisteris John Hay and Thomas Austean nottaris publict with divers otheris .

Alex<sup>r</sup> Guthrie alias

Faukland shirreff deput

w<sup>t</sup> my hand

THE PARISH OF KYNEDWARD.<sup>1</sup>

Carta confirmationis comitis de Rosse super terris de Scatyrty et Bytht .<sup>2</sup>  
(A.D. 1470.)



OMNIBUS [etc.] Johannes de Ylle comes Rossie et baro de Kynedward . eternam in Domino salutem . Noveritis nos vidisse inspexisse [etc.] quandam cartam Thome Grayme de Scatyrty factam dilecto consanguineo nostro Alexandro Fraser de Fillorth militi de terris de Scatyrty et Bytht [etc.] . cujusquidem carte tenor sequitur et est talis . . OMNIBUS [etc.] Thomas Grayme de Scatyrty et Bytht salutem in Domino sempiternam . Noveritis me [etc.] vendidisse [etc.] nobili viro Alexandro Fraser de Fillorth militi . totas et integras terras meas de Scatyrty et Bytht cum suis justis pertinentiis . jacentes in baronia de Kynedward in comitatu Buchanie infra vicecomitatum de Aberden . pro certa summa pecunie [etc.] . Reddendo inde dictus Alexander Fraser de Fillorth miles heredes sui et sui assignati michi et heredibus meis annuatim unum denarium argenti super solum dictarum terrarum ad Festum Pentecostes nomine albe firme si petatur tantum pro omni alio servitio seculari [etc.] . In cujus rei testimonium sigillum meum huic presenti carte mee est appensum . Apud burgum de Abberdein vicesimo quinto die mensis Januarij . anno Domini millesimo quadringentesimo sexagesimo nono . Coram hiis testibus . Thoma Fraser domino de Stanyvoide . Patricio Crawford domino de . . . Thoma Ogistone . Alexandro Fraser . dominis Andrea Chap-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 480—486.

Henry parson of Kynedor (Kenidor) is a witness to charters by Matthew bishop of Aberdeen, between the years 1178 and 1199; and of John bishop of Aberdeen, between the years 1199 and 1207. See above, pp. 120, 121.

The church of Kynedward was given to the abbey of Saint Mary of Deir, by John Cumyn earl of Buchan, between the years 1289 and 1306; and the grant was confirmed by King Robert I. (Robertson's Index to the Charters, p. 1.)

Alexander Cumyn earl of Buchan gave to the Hospital of Saint Congan, which he founded at Turreff, in the year 1273, two chalders of meal and three chalders of malt, to be paid yearly by his constable of Kennedor, in lieu of the tithes of that castle. (Registrum Episcopatus Aberdonensis, vol. i., p. 33.)]

<sup>2</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

man et Johanne Smytht . et domino Johanne Red monacho de Deer . cum multis alijs et singulis . Insuper noveritis quod Alexander Grayme filius meus et heres apparens consensit [*etc.*] ad omnes istas predictas meas [*etc.*] venditiones in omnibus et per omnia secundum modum et formam istius carte . . . . . honorabilis viri Willelmi Crawford de . . . . sigillum . . . . presentibus apponi . coram dictis testibus . dictis die mense et loco quibus supra . . QUAMQUIDEM cartam in omnibus suis punctis [*etc.*] pro nobis et heredibus nostris pro perpetuo confirmamus . Salvis nobis et heredibus nostris servicijs debitis et consuetis . In cujus rei testimonium sigillum nostrum huic presenti carte nostre confirmationis est appensum . Apud Dyngvale vigesimo quarto die mensis Februarii . anno Domini millesimo quadringentesimo sexagesimo nono .

Carta Willelmi Fraser de Phillorth militis super terris de Scatterti .<sup>1</sup>  
(A.D. 1505.)

Jacobus *etc.* Quia licet tote et integre terre et baronia de Kynedward cum tenentibus [*etc.*] jacentes infra vicecomitatum nostrum de Aberdene per dominos nostri consilij nobis adjudicantur pertinere et in manibus nostris existere tanquam in manibus heredis et successoris quondam Johannis comitis Buchanie baronis de Kynedward [*etc.*] . Nolumus tamen aliquod preiudicium [*etc.*] generari [*etc.*] dilecto nostro Willelmo Fraser de Phillorthe militi in terris subscriptis per ipsum et predecessores suos tentis de dicto barone de Kynedward [*etc.*] . Nos igitur pro nobis et successoribus nostris dedimus concessimus et confirmavimus hereditarie dicto Willelmo Fraser de Phillorth militi et heredibus suis . totas et integras terras de Skatterte cum piscariis [*et*] pertinentiis earundem jacentes in dicta baronia de Kynedward et infra vicecomitatum nostrum de Aberden . Quequidem terre [*etc.*] fuerunt dicti Willelmi [*etc.*] et ipsas in manibus nostris per fustem et baculum personaliter apud Edinburgum sursum reddidit [*etc.*] . Insuper pro nobis et successoribus nostris dedimus concessimus et confirmavimus hereditarie dicto Willelmo et heredibus suis . totas et integras dictas terras de Skattrete cum piscariis et pertinen-

<sup>1</sup> [From the Earl of Haddington's Collection of Charters, vol. i., p. 395. MSS. Bibl. Adv.]

tiis earundem nobis pertinentes et in manibus nostris ut premittitur existentes [*etc.*] . Tenendas et habendas totas et integras dictas terras [*etc.*] dicto Wilielmo Fraser et heredibus suis de nobis et successoribus nostris Regibus Scotie in feodo et hereditate inperpetuum [*etc.*] . Reddendo inde annuatim [*etc.*] tres sectas ad tria placita capitalia vicecomitatus nostri de Aberden . ac wardam et relevium dictarum terrarum et maritagium cum contigerit . In cujus rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . Testibus reverendo in Christo patre Willelmo episcopo Aberdonensi nostri secreti sigilli custode . dilectis consanguineis nostris Archibaldo comite de Argile domino Campell et Lorne magistro hospitij nostri . Patricio comite de Bothuill domino Haillis . Matheo comite de Levenax domino Dernelie . Alexandro domino Hume magno camerario nostro . Andrea domino Gray justiciario nostro . venerabili in Christo patre Jacobo abbate de Dunfermeling thesaurario nostro . et dilecto clerico nostro magistro Gavino Dunbar archidiacono Sancti Andree nostrorum rotulorum et registri ac consilij clerico . Apud Edinburgh decimo septimo die mensis Septembris anno Domini millesimo quingentesimo quinto . et regni nostri decimo octavo .

THE PARISH OF GAMERY.<sup>1</sup>

Carta thanagij de Glendowachy .<sup>2</sup> (A.D. 1382.)



ROBERTUS *etc.* · Sciatis nos dedisse [*etc.*] · dilecto filio nostro Johanni Lyounne militi · omnes et singulas terras thanagij de Glendowachy cum pertinentijs · infra vicecomitatum de Banff · que nos contingunt ratione escaete pro eo quod quondam Willelmus comes de Rosse ipsas terras alienavit / nostra licentia ad hoc non optenta · Tenendas et habendas eidem Johanni heredibus suis et suis assignatis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas *etc.* · Fa-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 488—492.]

The church of Gameryn, granted to the monastery of St. Thomas the Martyr at Arbroath, by its Royal founder, between the years 1189 and 1198, was confirmed to it by the same King, between the years 1212 and 1214; by Matthew bishop of Aberdeen, between the years 1178 and 1199; and by Pope Innocent III., on the twenty-third of April, 1200. (*Registrum Vetus Cenobii de Aberbrothoc*, foll. xcviii, ccliiij. MS. Adv. Bibl.; Collections for a History of the Shires of Aberdeen and Banff, pp. 334—336; above, pp. 119—123.)

In the year 1250, the vicarage of the church of Gamery was taxed at eighteen merks; and there was assigned to the vicar for his provision, the whole alterage with two acres of land. The rest of the church land, with the great tithes of the whole parish, was reserved to the abbot and convent of St. Thomas of Arbroath. (*Registrum Episcopatus Aberdonensis*, vol. i. p. 22; above, p. 59.)]

<sup>2</sup> [From the *Registrum Magni Sigilli Regum Scotorum*, pp. 164, 165.]

In the rental of the crown lands in Banffshire during the reign of King Alexander III. (1249—1286), the thanage of Glendowachy is valued at twenty pounds yearly, “· xx · libras · scilicet · xv · libras · et · v · celdras famenti ·” (*Registrum Episcopatus Aberdonensis*, vol. i. pp. 55, 160.)

In a roll of missing charters by King Robert I., is “Carta Hugonis de Ross, of the thanage of Glendowachy in vicecomitatu de Bamf.” (Robertson’s Index to the Charters, p. 2.)

In a roll of missing charters by King Robert III., is “Carta confirmacionis carte given by Isabel countess of Marr and Garriochie to Alexander Keith of Grandown, of the lands of Glendowachy, blench, in vicecomitatu de Banff.” (Robertson’s Index to the Charters, p. 141.)

ciendo inde seruicia debita et consueta . In cuius rei *etc.* Testibus *etc.* .  
Apud Kyndrocht penultimo die Augusti . anno regni nostri / duodecimo .

Carta Regis pro domino Comite de Buchane . <sup>1</sup> (A.D. 1382.)

Robertus *etc.* . Sciatis nos dedisse [*etc.*] dilecto filio nostro Alexandro Senescalli . comiti Buchanie . et Eufamie domine de Rosse . baronias siue dominia de Sky et de Lewes . omnes illas terras in Cathania et Suthirlandia . omnes illas terras infra vicecomitatum de Narne . infra vicecomitatum de Inuernys . omnes illas terras infra metas Atholie infra vicecomitatum de Perthie . baroniam de Fythkille cum pertinentiis infra vicecomitatum de Fyffe . omnes terras infra Galwydiam . terras de Forgrundtheny et Kynfawnys infra vicecomitatum de Perthie . ac eciam thanagium de Glendovachy et terras de Deskford infra vicecomitatum de Banff . Que fuerunt dicte Eufamie iure hereditario . et quas eadem Eufamia [*etc.*] mera et spontanea voluntate sua nobis [*etc.*] simpliciter resignauit [*etc.*] . Tenendas et habendas eisdem Alexandro et Eufamie et eorum diucinis viuenti / heredibusque inter ipsos legitime procreandis quibus forsan deficientibus heredibus dicte Eufamie legitimis quibuscunque . de nobis et heredibus nostris in feodo et hereditate [*etc.*] . Faciendo inde seruicia debita et consueta . In cuius rei *etc.* Testibus *etc.* . Apud Inuernys . xxv . die Julij . anno regni nostri duodecimo .

Carta terrarum de Lethnot concessa Patricio Cheyne de Essilmond . <sup>2</sup>  
(A.D. 1518.)

Omnibus hanc cartam visuris vel audituris . nos Thomas permissione diuina abbas monasterii de Kynloss et eiusdem loci conuentus . Salutem

King James V., in the year 1528, granted to John earl of Buchan, " terras et baroniam de Glendowquhy alias Downe." (Registrum Magni Sigilli, vol. xxii. no. 140. MS. in Her Majesty's General Register House at Edinburgh.)

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scotorum, p. 165.]

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There is preserved, in the same archives, a copy of the precept of sasine, of the same date, directed " Willemo Dunbrek filio et heredi Johannis Dunbrek de eodem . Gilberto Gray de Shewes . Ricardo Bade . Johanni Cheyne . Waltero Wauas . Duncano Brown." Sasine was given accordingly, on the eighteenth of May 1518, " apud villam de Lethnot . presentibus ibidem Archibaldo Keth de Morefeld . Thoma Gray . Jacobo Cheyne . Wilhelmo Johnstoun et Nicolao Kuyk cum multis aliis ." Waltero Wauas



in Domino sempiternam . Noueritis nos cum consensu nostri capituli pro augmentatione nostri rentalis et specialiter pro laboribus et serviciis nobis et monasterio nostro per providum virum Patricium Cheyne de Essilmonth propriis expensis factis . dedisse et ad feodifirmam dimisisse prefato Patricio Cheyne de Essilmonth et Isobelle Bade sue sponse et eorum alteri diucius viuenti in conjuncta infeodatione / neñnon heredibus eorum masculis de corporibus eorundem procreatis seu procreandis . omnes et singulas terras nostras de Lethnot cum suis pertinentiis jacentes in parochia de Gamry infra vicecomitatum de Banf . Tenendas et habendas de nobis et successoribus nostris in feodo et hereditate inperpetuum . Reddendo et solvendo annuatim decem mercas usualis monete regni Scocie nomine feudifirme si petatur tantum pro omni alio seruicio . In cuius rei testimonium sigillum nostrum commune presentibus est appensum cum sigillo proprio dicti Abbatis unacum nostris subscriptionibus manualibus . Apud monasterium nostrum antedictum de Kinloss vicesimo nono die mensis Marcii anno Domini millesimo quingentesimo decimo octauo . Coram hiis testibus . magistro Jacobo Wawane notario publico . Willelmo Bad . Andrea Garden . Johanne Thane . Roberto Smytht . Thoma Gray . et Johanne Archbald cum diuersis aliis . . Thomas abbas de Kinloss manu propria . Ego frater Willelmus Merchand subscribo . David Aliat . Patricius Wille . Johannes Kelle . Johannes Ricard .

ballivo; Johanne Bard capellano Dumblanensis diocesis notario. (Copy in the charter room at Slaines.)

The charter of the abbot and convent was confirmed by the Archbishop of St. Andrews, "Andreas Dei et apostolice sedis gratia Archiepiscopus Sancti Andree totius regni Scocie primas legatus natus ac per universum ipsum regnum dicte sedis cum potestate legati de latere legatus," through his commissioners Alexander Hay, prebendary of Turreff, and James Wawane, prebendary of Ellon, at the cathedral of Aberdeen, on the ninth of August, and twentieth of September, 1518, "presentibus ibidem venerabilibus et circumspcctis viris magistris Alexandro Symson rectore de Monemusk . Johanne Gallway prebendario de Dummaok . Thoma Red de Collistoun . Patricio Lealy et Willelmo Rolland burgensibus de Aberdene ." Alexandro Lawsons clerico Abredonensis diocesis notario. (Copies in the charter room at Slaines.)

The lands of Lethenoth (described as three oxgangs, lying by the sea, between the church of Gamery and Troup), were given to the monks of Saint Mary of Kynloss in Murray, by Robert Corbet, probably in the reign of Saint David. The grant was confirmed by King Alexander II. in the year 1226. See above, p. 234. In the rental of the monastery in the year 1500, the "villae de Leithnoch" were valued at six merks yearly. (J. Ferrerii Historia Abbatum de Kynlos, p. 77.)]

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David Spens • Andreas Weddell • Johannes Chyld • Patricius Fotheringham • David Murray • Jacobus Pont • Walterus Hettoun • Johannes Parson • Johannes Smytht • Servanus Broun • Willelms Broun subscribo •

Decreit anent the merchis betuyx Lethnot and Troup • <sup>1</sup> (A.D. 1537.)

Til al and sindry quhais knowledge this present write sal tocum • Maister Alexander Strathachin of Thornton • justice deput and livetennnt to ane nobill and mychty lord Archbald erle of Argill lord Campbell and Lorn Greit Justice till our souerane lord the Kingis Grace owre al his hail realme • greting in God euerlasting • Witt us yhour vniuersitie that in ane justice court haldin by me the aught day of the moneth of August the yeir of God a thousand fyue hundreth thretty and seven yeiris for the serveing of ane breue of perambulacioun rasit at the instans of Patrick Cheyne of Essilmonth fewar and proprietor of the landis of Lethnot / Robert abbot of Kinloss and convent of the same his superiouris on the ane pairt • Gilbert Keitht of Troup and ane nobill and mychty lord William erle Merchell his superior on that other pairt • to perambil the richteus meithis and marchis of the forsaid landis of Lethnot and the landis of Troup • The court beand lauchfully affirmit the breue beand duely proclamit indorsat and the parteis lauchfully summonit to the said day • there wes chosin and suorn Robert Innes of Innermerky / John Gordon of Lungare / James Gordon of Culquhodistane / George Gordon of Cairnborow / Walter Barcalay of That Ilk / Alexander Fraser of Philorth / John Duff of Maldeiuet / George Baird of Ordinhuiiff / James Gordon of Methlick / Thomas Menzeis of Pitfodles / Thomas Urquhart of Cromarty / Robert Stewart of Lautheris / Maister Androw Tullidaff of Ranistoun / Alexander Irvine of Lunney / John Allardice of That Ilk / Robert Allardice of Baddinschot / Patrick Barclay of Towie / Maister James Barclay of Kynneroquhy and George Crawford of Fetherat to pass upon ane assys [etc.] • Quhilkis assiss • the richtis of the parteis / videlicet ane band and charter of the said landis of Lethnot of the date at Troup 1319 yeris the twenty nynt day of May producit be the said Robert abbot [etc.] sene [etc.] ; be the mouth of the said Robert Innes chancellor [etc.] pronuncit and deliuerit that the said Patrick and his

<sup>1</sup> [From a copy, in the charter room at Slaines.]

heiris [*etc.*] sal bruik and joyse in property frae the Lang Furd wher the said Patrick begoutht to rid quhilk is the midmeist furd of the thrie furdis ascendand up the Hill of Findon and to the northt syde of the same on to the Cairnslaw callit Clochtyne alias Teorieclamchyne and fraethin west to the highgate to the heid of Pollisdone / and in commonty frae the said gate of the heid of Pollisdone ascendand up the Hill of Findon on to the law upon the heicht of the same wher ther sal be put ane stain cross and fraethin descendand down to the brek of the moss callit the Crossslacks as it is pairtit and merchit and frae the said Crossslacks southt to the Todlaw as sal be pairtit and merchit be the saidis parteis / swa that it sal be leisum to the said Gilbert and his ayris to labour and manur be west the said merchis of Crossslacks and Todlaw with cornis or ony vthirways And it sal not be leisum to the said Gilbert [*etc.*] to labour nor manur the commond mure liand betwixt the Halkden and the Todlaw [*etc.*] conform to the said abbotis infestment of Lethnot and Brokakis . and dome of court gevin herupon be the mouth of Alexander Duncansone dempstare [*etc.*]

Inquisicio Valteri Berclay de Tolly super terris de Collane .<sup>1</sup> (A.D. 1491.)

*Hec inquisitio facta fuit apud Tullyboyauchteran Collane coram honorabili viro Patricio Steuart in Latheris ac vicecomite deputato de Banf per hos subscriptos viros . videlicet . Vilhelmum Meldrum de Fywe / Georgeum Meldrum de Petcarre / Vilhelmum Jonstone filium ac heredem apparentem Alēxandri Johnstone de Caskebene / Johannem Gordon de Petger / Robertum Meldrum in Kynbrwne / Johannem Setone in . . . . . / Andream Bruss / Robertum William / Johannem Valcar / Alexandrum Gregore / Alexandrum Dolace / Johannem Blak / ac Johannem Meldrum / Johannem Donald et Andream Craghed . Qui jurati dicunt quod quondam Johannes Bercla de Tolly pater Valteri Bercla latoris*

<sup>1</sup> [Abridged from the original in the possession of the Club.

About the year 1385, Andrew of Berclay, lord of Garntuly, gave the land of Melros, with the mill, to Janet of Berclay, the widow of Sir John of Monymous, knight, in quittance of her claim to certain lands of her father John of Berclay. The land was to be held blench for payment of a silver penny at Doun on the Feast of Pentecost yearly, the granter being bound to keep it free from all demand of the yearly rent, in which it was liable to the King, of ten pounds sterling, and four chalders of corn. Among the witnesses to the charter, is William of Berclay of Tolly, lord of Kercow. (*Registrum Episcopatus Aberdonensis*, vol. ii. pp. 281, 282.)]

presentium obiit ultimo sasitus ut de feodo ad pacem Regis de totis et integris terris de Collane cum pertinentiis jacentibus in thanagio de Glendouauchy infra vicecomitatum de Banf . Et quod dictus Valterus est legitimus et propinquior heres eiusdem patris sui de dictis terris . et quod est legitime etatis . et quod dicte terre tenentur de thano de Glendouauchy in capite tanquam de superiori in alba firma et cum una secta ad curiam de Dwrne per annum videlicet ad curiam capitalem post festum Sancti Michaelis Archangeli . et quod heredes dictarum terrarum liberi erant de varda maritagio et releuio earundem . et quod dicte terre sunt nunc in manibus Comitis Buchanie ac domini de Glendouauchy per mortem quondam Johannis Bercla per tres menses vel eocirca . In cuius rei testimonium sigilla quorundam qui dicte inquisitioni intererant una cum sigillo dicti vicecomitis deputati presentibus sunt appensa . apud locum predictum . secundo die mensis Augusti anno Domini millesimo quadringentesimo nonagesimo primo .

Preceptum sasine terrarum de Collan pro Patricio Berculay de Tolle .<sup>1</sup>  
(A.D. 1522.)

Johannes comes Buchanie dominus de Ouchterhous ac baro baronie de Glendouauchy cum pertinentiis . dilectis meis Jacobo Stewart de Rillaund balliuis meis in hac parte salutem . Quia nobis compertum est quod quondam Walterus Berclay de Tolle pater Patricii Berculay latoris presentium obiit ultimo sasitus de ferris de Collan jacentibus in dicta nostra baronia de Glendouauchy et vicecomitatu de Banff . et quod dictus Patricius est legitimus et propinquior heres eiusdem patris sui . et quod est legitime etatis . et quod dicte terre de Collane tenentur de nobis in capite tanquam domino superiori earundem . Quare vobis precipimus quatinus dicto Patricio aut suo certo acturnato presentium latori sasinam hereditariam terrarum prescriptarum tradatis . In cuius rei testimonium sigillum nostrum huic precepto sasine est appensum . Apud Haltoun secundo die mensis Maii anno Domini millesimo quingentesimo vicesimo secundo . una cum nostra subscriptioni manuali .

Johne erll off Bowqhone

<sup>1</sup> [Abridged from the original in the possession of the Club.]

Inquisicio Walteri Berclay de Tolly .<sup>1</sup> (A.D. 1559.)

Hec inquisitio facta fuit in pretorio burgi de Banff coram honorabilibus viris Jacobo Dempstair de Ouchterles et Johanne Duncansoun burgensi de Banff / vicecomitibus deputatis dicti vicecomitatus / decimo tertio die mensis Januarii anno Domini millesimo quingentesimo quinquagesimo octauo / per hos probos patrie subscriptos . videlicet . honorabiles viros Vilhelmum Hay filium et apparentem heredem honorabilis viri Alexandri Hay de Delgatty / Johannem Hay de Lochloy / Patricium Dalgarno de eodem / Wilhelmum Ogstoun in Turreff / Gilbertum Mowatt ibidem / Alexandrum Forbes in Rorocht / Willelmum Nory in Fyntray / Willelmum Keith in Myddiltoune / Georgium Coupland in Melros / Willelmum Cumming ibidem / Willelmum Mair in Cairnandraw / Thomam Will in Collane / Johannem Spens in Melros / Malcolmum Mowatt in Hungrehill / et Thomam Thomsoun in Pratstoun / Qui jurati dicunt quod quondam honorabilis vir Patricius Berclay de Tolly pater Walteri Berclay latoris presentium obiit ultimo sasitus . ad fidem supremi domini nostri Francisci et supreme domine nostre Marie Scottorum Regis et Regine Delphini et Delphine Viennensis . de omnibus et singulis terris de Collane jacentibus infra baroniam de Glendouachtie et vicecomitatum de Banff . Et quod dictus Walterus Berclay est legitimus et propinquior heres dicti sui patris . et quod est legitime etatis . et quod dicte terre valent nunc per annum viginti libras monete regni Scotie et tempore pacis valuerunt quinque libras monete predictae . et quod dicte terre in capite de nobili domina Cristina Stewart comitissa feoditaria terrarum comitatus de Bouchane tanquam domina superiore earundem in alba firma tenentur pro solutione annuatim sex denariorum monete argenteae in Festo Penthecostes si petatur tantum una cum secta ad placitum tantum . et nunc existunt in manibus dicte nobilis domine ob decessum dicti quondam Patricii Berclay per spatium duorum mensium et quindecim dierum ratione non introitus ipsius Walteri . Datum et clausum sub sigillo vicecomitis et sigillis quorundam horum qui dicte inquisitioni intererant anno die et loco prenotatis .

<sup>1</sup> [Abridged from the original in the possession of the Club.]

Inquisicio super terris de Cullane .<sup>1</sup> (A.D. 1618.)

Hec inquisitio facta fuit in curia vicecomitatus de Banff tenta in pretorio eiusdem / per discretos viros Jacobum Lawtie burgensem de Cullen et Alexandrum Ogilvye burgensem de Banff vicecomites deputatos dicti vicecomitatus / vigesimo secundo die mensis Augusti anno Domini millesimo sexcentesimo decimo octauo / per hos probos et fideles homines patrie subscriptos . videlicet . Joannem Wrquhart de Craighntray / dominum Georgium Ogilvye de Dunlugus militem / Georgium Ogilvye de Carnousies / Walterum Iunes de Auchintoull / Georgium Ogilvye feoditarium de Dunlugus / Thomam Meldrum de Iden / Alexandrum Coupland de Wdoche / Jacobum Stewart de Ryland / Walterum Ogilvye de Reidhyith / Georgium Mortimer de Auchinbady / Jacobum Ogilvye de Padoklaw / Joannem Pettindreich de eodem / Gulielmum Hay in Mailross / Patricium Wrquhart in Jakistoun / et Archibaldum Ramsay de Culche . Qui jurati dicunt quod quondam Walterus Barclay de Tollie / pater domini Patricii Barclay nunc de Tollie militis latoris presentium / obiit ultimo sasitus ut de feodo ad fidem Regis in omnibus et singulis terris de Collane cum molendino fullonum molendino granorum portu marino cimbis et piscationibus in mare solitis et consuetis jacentibus infra dominium de Glendowachie et vicecomitatum de Banff . quequidem terre molendina et piscarie limitantur modo subsequente . videlicet . Beginand at the Auld Heaven of Collane and burne of Mailross as the said burne rinis in the sea and sua ascendend up the said burne quhill it cum to the kirkfurd wtherways milne furd / And fra thyne furth ascendend up the said burne quhill it cum to the back of the mylleis of Collane and sua ascending to the end of the Claithden as the Claithburne rinis in the said burne of Mailross / And sua ascending up the said Claithburne and den of the same till ane fuirde at the east syde of the Claithfauldis and fra thyne ascending up the said burne till ane meikill gray stane and sua fra that gray stane ascending up throw the Colyeane boig as it is pottit throw the said boig quhill it cum to the head of the Hairmoss / And fra thyne descending doun as the . . . . . betuix the Hairmoss and the lands of Collane descendis and enteris in the head of the stryp of Dargattie as the samyne

<sup>1</sup> [Abridged from an authenticated transumpt, in the possession of the Club.]



is pottit and sua desending doun the stryp of Dargattie quhill it cum to the Blak Myre wtherwayes Black Delfes as the samyne is pottit / And fra thyne ascending up and wast the said Blackmyre betuix the Nesche and the Hard at the north syde of the moss of Monblettoun as the samyn is pottit quhill it cum to the Graystane and fra thyne ascending up the Black Moiss wtherwayis Littill Moiss at the heid of the Wheyt stryp and fra theyne descending doun the Quheyt stryp on the south syde of the Baidis of Collane quhill it cum and enter in the Fluiket burne as it is pottit / And sua discending doun the Fluiket burne till it cum to the Cadgerfuird and fra thyne to the wast nuik of the Smiddie fauld is as it is pottit and fra thyn ascending to the Standen wtherwayis Steipping Steanis on the wast syde of the Shank and fra thyne throw the midmoiss callit the Goitt disending doun to the head of the Seytoun Boig as it is pottit and fra thyne discending doun the stryp on the wast syde of the Seatoun Boig quhill it cum and enter in the Fluikett Loche wpoun the wast syde of the heavin of Collane as the samyne is pottit . Et quod dictus dominus Patricius Barclay est legitimus et propinquior heres eiusdem quondam sui patris de predictis terris . et quod est legitime etatis . et quod dicte terre valuerunt tempore pacis per annum summam decem solidorum et quod nunc valent summam quadraginta solidorum usualis monete regni Scotie . et quod dicte terre immediate tenentur de Jacobo comite de Buchane domino de Glendowachie Somervail et Auchterhous et suis heredibus et successoribus in libera alba firma pro annua solutione sex argenteorum denariorum ad Festum Penthecostes si petatur / necnon reddendo unam sectam annuatim ad Festum Michaelis in curia capitali domini de Glendowachie tantum . et quod dicte terre fuere in manibus domini nostri Regis et suorum donatorum warde relevii et non introitus illius partis dicti domini de Glendowachie per spatium viginti octo annorum et dimidii unius anni aut eocirca ratione warde Comitum de Buchane et eorum heredum continuo a decesso dicti quondam Walteri qui obiit in mense Januarii aut eocirca in anno Domini millesimo quingentesimo octuagesimo sexto / necnon in manibus dicti Comitissae de Buchane per spatium trium annorum aut eocirca tanquam in manibus immediatorum superiorum dicti Domini Patricii earundem ratione non introitus . Datum et clausum sub sigillo officii dicti vicecomitatus nec non sub sigillis ma-

ioris partis eorum qui dicte inquisitioni intererant anno die et mense prenomminatis .

Extractum de Libris Actorum Curie Vicecomitatus de Banff per me clericum eiusdem subscriptum sub mea subscriptione manuali  
Gul<sup>o</sup> Scharp clericus vicecomitatus de Banff . <sup>1</sup>

<sup>1</sup> [On the third of November 1402, Isabel countess of Mar and lady of The Garioch, 'in viduitate sua existens,' gave to Alexander Keyth of Grandoun, the lordship of Glendovachy and the lands of Doun, by a charter dated at her castle of Kyndromy, 'testibus Gilberto Graham et Johanne Pontkyne militibus nostris, Thoma Brysbane consanguineo meo.' The grant was confirmed by King Robert III., by a charter (in which the lord of Grandoun is styled 'dilecto confederato nostro') dated at Dundonald on the eighth of February 1403. (MS. note from the original among the 'wrytes of Auchterhouse,' in the charter room of the Earl of Buchan, made about the year 1720 by George Crawford, author of the Lives of the Officers of State in Scotland.)

On the seventh of October 1413, 'Alexander de Keyth miles dominus de Grandoun gives 'dilecto genero suo Patricio de Ogilvy filio et heredi Alexandri de Ogilvy vicecomitis de Angous,' and to Christian his wife, daughter of the granter, his lands and barony of Doun in the sheriffdom of Banff, and his lordship of Grandoun in the sheriffdom of Aberdeen; 'testibus Johanne de Ogilvy domino ejusdem; Roberto Lovel domino de Baluwly; Alexandro Barclay domino de Garntilly; Alexandro de Moravia domino de Glaskwal; Johanne de Strachan domino de Carmylie.' By another charter of the same date, the Knight of Grandoun gives to the same parties his barony of Fotherlester in the sheriffdom of Aberdeen. Both grants are confirmed by King James I., by a charter dated at Aberdeen on the second of August 1428, and witnessed by John bishop of Glasgow the chancellor, William Foulis keeper of the privy seal, Sir John Forester chamberlain, and Sir Walter Ogilvy treasurer. (MS. note from the originals by George Crawford.)]

## IN THE PRESBYTERY OF DEIR.

THE PARISH OF ABERDOUR.<sup>1</sup>

ANCTI Drostani abbatis .<sup>2</sup>

*Ad Vesperas super psalmos feriales .*

*Antiphona .* Amavit eum [Dominus et ornauit eum : stolam glorie induit eum *etc.*]

*Capitulum .* Justus cor suum [tradidit ad vigilandum diluculo ad Dominum : qui fecit illum et in conspectu Altissimi deprecabitur.]

*Antiphona .* Vir Drostanus Christianus fidei constancia

Vita clarus Deo carus fuit ab infancia :

• Veneremur et precemur ipsum cum constancia

Ut ope precum ducat secum nos ad celi gaudia

*Psalmus .* Magnificat [anima mea Dominum . Et exultauit spiritus meus in Deo salutari meo *etc.*]

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 442–448.

The church of Aberdour was erected into a prebend of the cathedral of Saint Machar at Aberdeen, in the year 1318. (Registrum Episcopatus Aberdonensis, vol. ii., p. 252.)

William parson of Aberdour appears as a witness to a charter of Mathew bishop of Aberdeen, between the years 1178 and 1199. (Registrum Episcopatus Aberdonensis, vol. i., p. 13.) Mathew parson of Aberdour (Aberdouer) is a witness to charters of the same Bishop Mathew, and of Bishop John his successor between the years 1199 and 1207. See above, pp. 120, 121.]

<sup>2</sup> [From the Breuiarium Aberdonense, prop. Sanct. pro tempore hyemali, fol. xix.

The feast of Saint Drostan was celebrated on the fourteenth of December. His name was restored to the kalendar of the Scottish Church in the Service Book of King Charles I., in compliance with the King's instructions to the Scottish Bishops, "that in their kalendar they should keep such catholick saints as were in the English; such of the saints as were most peculiar to that kingdom [of Scotland] (especially those which were of the Royal blood, and some of the most holy bishops) being added to them." (Gordon's History of Scots Affairs, vol. ii., p. 76, note 3.)

Saint Drostan seems to have been held in reverence in more than one parish of the diocese. The Aberdeen Almanac for the year 1703 commemorates "Dustan fair at Deer," and "Dustan fair at Kirktown of Inch in The Geirrie," both on the fourteenth of December.]

*Oratio* . Deus qui beatum Drostanum confessorem tuum atque abbatem preclaris decorasti miraculis : presta quesumus ut ad ea que eidem contulisti premia in celestibus eternaliter pertingamus . Per Dominum nostrum .

*Lectio prima* . Beatus Drostanus regali Scotorum progenie ortus cum ad maturam peruenisset etatem audito Dominice incarnationis et passionis mysterio in ipsis puerilibus annis repletus Spiritu Sancto Omnipotenti Deo toto mentis affectu servire studuit .

*Lectio ii* . Agnoscentes igitur parentes puerum Drostanum summo desiderio Deo deditum ipsum tradiderunt beato Columbe auunculo suo in Hibernia conuersanti liberalibus studiis imbuendum : cum quo postea apud Dalquongale habitum sancte religionis suscepit . *Tu [etc.]*

*Lectio iii* . Defuncto eius abbate eiusdem loci beatus Drostanus electus est in abbatem : ubi aliquamdiu commorans monachis quibus prefuit exemplo vite et doctrine multum prodesse studuit . *Tu autem* .

*Lectio iiii* . Aliquanto tempore elapso commissi sibi gregis curam non deserens : sed summo pastori Christo committens a secreto heremi in partibus Scocie se transtulit ubi vitam heremiticam ducens in loco qui dicitur Gleneak ecclesiam construxit .

*Lectio v* . Omnia pro Christo secundum Euangelium reliquit qui de dignitate terrena et honore regio quibus jure hereditario potiri potuit non curauit : Terreno renunciens regno humanum renuit principatum ut Anti-Christi fugeret famulatum . *Tu autem* .

*Lectio vi* . Sacerdos quidam nomine Symon visu privatus meritis Drostani illuminatus est factus hic spretor seculi assecla Christi cultor heremi triumphator hostis antiqui adversus inimici latentis insidias diuinum semper inuocauit auxilium .

*Lectio vii* . Cui tamen ad alta tendenti callidus hostis . . . . tentacionem tetendit : durum in corde et corpore pertulit compunctionis et macerationis martyrium ne unquam dyabolo preberet assensum .

*Lectio viii* . Et quia per viam vite presentis eterne vite secutus est premia largientem ad vitam meruit ingredi permanentem qui in omnium sanctitate et puritate cursu consummato migravit ad Dominum . *Tu autem* .

*Lectio ix* . Ossa vero sanctissimi confessoris Drostani apud Aberdowyr in tumba reconduntur lapidea ubi multi diversis morborum languoribus pergrauati eius meritis restituuntur sanitati . *Tu autem* .

*Cetera omnia de communi vnius confessoris et abbatis* .

Carta confirmacionis Comitis de Douglas pro Patricio Reddie Ramsay super terris de Litle Drumquhendil .<sup>1</sup> (A.D. 1408.)

Omnibus hanc cartam visuris vel audituris Archibaldus comes de Dowglas dominus Galvidie et Vallis Anandie . salutem in Domino sempiternam . Noveritis nos quandam cartam carissimi fratris nostri Jacobi de Dowglas domini de Abercorn . factam dilecto nostro Patricio Reddie Ramsay de terris de Drumquwhendill cum pertinentijs in baronia de Aberdour infra vicecomitatum de Aberden [*etc.*] . intellexisse ad plenum sub hac forma . . OMNIBUS hanc cartam visuris vel audituris . Jacobus de Dowglas dominus de Abercorn et baronie de Aberdour in Buchania . salutem in Domino sempiternam . Noverit universitas vestra nos [*etc.*] confirmasse [*etc.*] dilecto scutifero nostro Patricio Reddie Ramsay pro fideli servitio suo nobis impenso et pro toto tempore vite sue impendendo . omnes terras nostras de Litle Drumquwhendill cum pertinentijs in dicta baronia nostra de Aberdour infra vicecomitatum de Aberden . Quequidem terre [*etc.*] fuerunt domini Alexandri Fraser militis consanguinei nostri hereditarie . et quas idem dominus Alexander [*etc.*] spontanea voluntate sua apud Edinburgh in manus nostras sursum reddidit per procuratores suos . scilicet . reverendum in Christo patrem Gilbertum Dei gratia episcopum Aberdonensem cancellarium Scotie . et discretum virum dominum Willelmum Lang rectorem ecclesie de Turre [*etc.*] . et simpliciter resignavit in presentia reverendorum in Christo patrum dominorum Gilberti Dei gratia Aberdonensis cancellarij Scotie . Roberti Dunkeldensis et Walteri Bre-

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.

It is added in a note, that the seal attached to the original "is very intire, being the Dowglasses arms quartered first and fourth, with a lyon rampant second and third; supported by two savages; with the Earle of Dowglass's inscription round it."

The original charter of vendition by the lord of Fyllorth, and the charter of confirmation by the lord of Abercorn and Aberdour, are printed in the Collections for a History of the Shires of Aberdeen and Banff, p. 448.

On the second of August 1456, William Rede of Coliston sold to Master John of Clat an annuity of twenty shillings from his lands of Lital Drumquhenyule in the barony of Fylorth. The vendition was confirmed on the following day by Alexander Fraser of Filorth, the superior of the lands. (Registrum Episcopatus Aberdonensis, vol. i., pp. 77, 278.) The annuity was afterwards bequeathed by John of Clat for the maintenance of a chaplain to serve, at the altar of Saint Katherine the virgin, in the cathedral of Saint Machar at Aberdeen. (*Id.*, p. 279.)]

chinensis ecclesiarum episcoporum . necnon magnifici et potentis domini Domini Archibaldi comitis de Dowglass domini Galvidie fratrisque nostri carissimi . Willelmi de Fentoun domini ejusdem . Willelmi de Fayrle domini de Brade . et aliorum multorum fide dignorum . vicesimo quinto die mensis Octobris anno Domini millesimo quadringentesimo octavo [etc.] . Tenendas et habendas dictas terras [etc.] dicto Patricio heredibus et assignatis suis de nobis et heredibus ac successoribus nostris baronibus de Aberdour in feodo et hereditate inperpetuum [etc.] . Reddendo inde annuatim dictus Patricius [etc.] nobis et heredibus nostris unum denarium argenti nomine albefirme si petatur ad capitale messuagium dicte baronie in Festo Pentecostes tantum pro omni alio servitio [etc.] . In cujus rei testimonium presenti carte nostre sigillum nostrum apponi fecimus . Apud Edinburgh ultimo die mensis Octobris predicti anno supra notato . Testibus reverendis in Christo patribus ac dominis Gilberto Aberdonensis . Roberto Dunkeldensis et Waltero Brechinensis ecclesiarum episcopis . magnifico et potenti domino Domino Archibaldo comite de Dowglas domino Galvidie fratre nostro carissimo . Domino Willelmo de Borthwick domino de Ligartwood . Willelmo de Borthwick filio suo et herede consanguineis nostris . Willelmo de Fentoun domino ejusdem . domino Willelmo Lang rectore ecclesie de Turre . Georgio de Lawdir scutifero nostro . cum multis alijs . . QUAMQUIDEM cartam [etc.] in omnibus et per omnia, approbamus ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus . In cujus rei testimonium presenti carte nostre confirmationis sigillum nostrum apponi fecimus . Hijs testibus nobilibus et reverendis viris carissimo fratre nostro Jacobo de Dowglas antedicto . necnon domino Willelmo del Haya domino de Lowhqworwart . Willelmo de Borthwick domino de Ligartwood . Willelmo de Crawford domino del Ferme militibus . consanguineis nostris dilectis . ac magistris Alexandro de Carnys preposito ecclesie collegiate de Lyncludan . et Matheo de Gedes rectore ecclesie Beate Marie de Foresta . clericis nostris dilectis . cum multis alijs .

Carta Jacobi de Douglas domini de Abercorn et de Aberdour concessa Willelmo Fraser de Fillorth . <sup>1</sup> (A.D. 1408.)

Omnibus hanc cartam visuris vel audituris . Jacobus de Dowglass

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

dominus de Abercorn et de Aberdowir . salutem in Domino sempiternam . Sciatis nos dedisse [*etc.*] carissimo consanguineo nostro Willelmo Fraser pro suis benemeritis nobis multipliciter impensis . totas et integras terras de Ovir Pettouly . de Nether Pétouly . Petslegach . Culburty . le Quaral . Ardelach . Achlon . le Threbulgenis cum molendino de Bulgeny . Glascelach . Culcoach . Auchmacludy . Drumwhendil cum molendino ejusdem . Mamsy cum molendino de Badehall . et de Rathin . cum pertinentijs . jacentes in baronia de Aberdowir infra vicecomitatum de Aberden . Quequidem terre cum pertinentijs fuerunt domini Alexandri Fraser militis patris sui hereditarie et quas idem Alexander [*etc.*] mera et spontanea voluntate sua in manus nostras coram testibus infrascriptis per fustem et baculum [*etc.*] simpliciter resignavit [*etc.*] . Tenendas et habendas [*etc.*] prenomيناتas terras [*etc.*] predicto Willelmo et heredibus suis de nobis et heredibus nostris in feodo et hereditate in perpetuum [*etc.*] . Faciendo nobis et heredibus nostris predictus Willelmus et heredes sui de predictis terris cum pertinentijs servitia debita et consueta . Reservato tamen predicto Domino Alexandro libero tenemento dictarum terrarum cum pertinentijs pro toto tempore vite sue . ac etiam reservata Domine Elizabethe sponse sue tertia parte sua dictarum terrarum cum pertinentijs pro toto tempore vite sue si supervixerit Dominum Alexandrum maritum suum antedictum . [*etc.*] . In cujus rei testimonium presenti nostre carte sigillum nostrum apponi fecimus . Apud Edinburgh quinto die mensis Octobris anno Domini millesimo quadringentesimo octavo . Testibus reverendis in Christo patribus dominis Gilberto episcopo Aberdonensi cancellario Scotie . Roberto episcopo Dunkeldensi . Waltero episcopo Brechinensi . magnifico et potente domino Domino Archibaldo comite de Dowglass domino Gallvidie . domino Willelmo de Borthwick milite . magistro Alexandro Barbar archidiacono Catanensi . Willelmo Lang rectore ecclesie de Turray . Willelmo de Borthwick filio . cum multis alijs .

Carta confirmacionis per Comitem de Dowglas . <sup>1</sup> (A.D. 1408.)

Omnibus hanc cartam visuris vel audituris . Archibaldus comes de Dowglass et dominus Gallvidie . salutem in Domino sempiternam . Sciatis nos ratificasse approbasse et pro nobis et heredibus nostris in perpetuum

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Pannure.]

confirmasse donationem et concessionem quas carissimus frater noster germanus Jacobus de Dowglass dominus baroniarum de Abircorn et de Aberdowir fecit et concessit consanguineo nostro Willelmo Fraser . de omnibus et singulis terris de Ovir Pettouly . de Nethir Pittouly . Petslegach . Culburty . le Quaral . Ardelach . le Threbulgenis cum molendino de Bulgeny . Glascelach . Auchmacludy . Tullynamolt cum molendino ejusdem . Mamsy cum molendino . de Badechall . et de Rathin . cum pertinentijs . jacentibus in dicta baronia de Aberdowre infra vicecomitatum de Aberdene [*etc.*] . In cujus rei testimonium presenti carte nostre confirmationis sigillum nostrum apponi fecimus . Apud Edinburgh vicesimo octavo die mensis Octobris . anno Domini millesimo quadringentesimo octavo .

Preceptum sasine pro Alexandro Frasare .<sup>1</sup> (A.D. 1420.)

Universis ad quorum notitiam presentes litere pervenerint . Jacobus de Dowglas de Balveny . salutem in Domino . Sciatis me fecisse [*etc.*] dilectum meum Simonem Banerman balivum meum hac vice specialiter deputatum ad dandum pro me et nomine meo Alexandro Frasare . filio et heredi Willelmi Frasare de Fylorth . sasinam hereditariam terrarum de Culburty . Mamsy . et terrarum de Over Pettouly . Nethyr Pettouly . et de Rathin cum pertinentijs . jacentium in dominio de Aberdour infra vicecomitatum de Aberden . ad quod vero faciendum dicto Simoni hac vice meam committo plenariam potestatem . Salvo jure cujuslibet . In cujus rei testimonium presentibus / quia sigillum proprium ad presens non habui / sigillum nobilis domini Alexandri de Seton domini de Gordon coram testibus subscriptis apponi presentibus procuravi . videlicet . Johanne de Sancto Michaeli . Roberto de Dayell . et Willelmo de Setone . testibus . cum multis alijs . Apud Perth sexto die mensis Octobris . anno Domini millesimo . cccc . xx .

Carta confirmacionis domini de Aberdour super terris de Ardlach cum molendino de Badychale .<sup>2</sup> (A.D. 1418 et A.D. 1423.)

Omnibus hanc cartam visuris vel audituris . Jacobus de Douglas dominus de Abercorn . Salutem in Domino sempiternam . Noueritis nos

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

<sup>2</sup> [From a copy, made by the sherriff-clerk of Banff, on the fourteenth of April 1820, from the original then in the possession of William Gordon, of Aberdour, esquire.]



inspexisse [etc.] quamdam cartam nobilis viri Willelmi Fraser domini de Philorth [etc.] . cuiusquidem carte tenor sequitur et est talis . . OMNIBUS hanc cartam visuris vel audituris . Willelmus Fraser dominus de Philorth . Salutem in Domino sempiternam . Noueritis me dedisse [etc.] ac omnino vendidisse [etc.] dilecto et speciali meo Johanni de Gordone filio naturali quondam domini Johannis de Gordone militis domini ejusdem . omnes terras meas de Ardlach cum molendino de Badychale et omnibus thrilmulturis quas unquam ego vel aliquis antecessorum meorum habeo vel possideo habuit aut possedit cum pertinentijs . in baronia de Aberdour infra vicecomitatum de Abyrden / pro quadam summa pecunia [etc.] . Tenendas et habendas predicto Johanni et heredibus suis masculis inter ipsum et Elizebetham nunc sponsam suam legitime procreatis seu procreandis / quibus forte deficientibus alijs heredibus suis masculis inter ipsum et quamcunque aliam sponsam legitime procreandis / quibus forte deficientibus Alexandro filio naturali dicti Johannis et heredibus suis masculis de corpore suo legitime procreandis / quibus forte deficientibus Ade filio naturali predicti Johannis et heredibus suis masculis de corpore suo legitime procreandis / quibus forte deficientibus Thome de Gordon fratri prefati Johannis et heredibus suis masculis de corpore suo legitime procreatis vel procreandis / quibus forte deficientibus veris et legitimis heredibus de Gordon cognomen de Gordon et arma portantibus . in feodo et hereditate imperpetuum [etc.] . Reddendo inde annuatim [etc.] domino superiori dictarum terrarum unum par albarum cirothecarum super solum predictarum terrarum ad Festum Pentecostes nomine albe firme si petatur tantum pro omni alio servicio [etc.] . In cuius rei testimonium sigillum meum presenti carte mee apposui . apud Abirden ultimo die mensis Maij anno Domini millesimo quadringentesimo decimo octavo . Hijs testibus reverendo in Xpo patre ac domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie . venerabili in Xpo patre ac domino Roberto abbate de Der . ac nobilibus dominis Alexandro de Seton domino de Gordon . Andrea Keth domino de Inuerugy . et Andrea Giffarte . . QUASQUIDEM donationem concessionem et venditionem in omnibus suis punctis [etc.] pro perpetuo confirmamus . In cuius rei testimonium sigillum nostrum presenti carte nostre confirmacionis est appensum . apud Edinburgh decimo sexto die mensis Januarij . anno Domini millesimo quadringentesimo vicesimo secundo .

Carta confirmationis terrarum de Glassach etc. in favorem Willelmi Forbes de Kynnaldi . <sup>1</sup> (A.D. 1424 et A.D. 1426.)

Jacobus Dei gratia Rex Scottorum . Omnibus [etc.] salutem . Sciatis nos quandam cartam dilecti et fidelis nostri Willelmi Fraser de Filorth factam et concessam dilectis et fidelibus nostris Willelmo Forbes de Kyn-

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

By a charter dated at Kyntor, on the third of December 1391, 'Willelmus de Keth mariscallus Scotie' gives 'dilecto filio suo Alexandro Keith totam terram de Glencuthill in Buchania infra vicecomitatum de Aberdeen'; 'tenendam de Comite Rossie qui pro tempore fuerit in feodo et hereditate.' (MS. note (made about the year 1725) from the original in the charter chest of the Earl of Buchan, by George Crawford, author of the *Lives of the Officers of State in Scotland*.)

'Patricius Ogilvy vicecomes de Angus et Cristiana de Keyth sponsa ejus,' by a charter dated at Achterhouse, on the second of October 1423, resign their lands of Glencuthill 'in manibus magnifici et exaltissimi principis Johannis comitis Buchanie constabularii Francie domini baronie de Kynedward et Glenkuthill.' (*Id.*)

On the sixteenth of October 1423, 'Johannes comes Buchanie constabularius Francie camerarius Scotie' grants 'confederato nostro Patricio de Ogilvy vicecomiti de Angus, et Cristiane de Keyth sponse sue consanguinee nostre carissime, totum et integrum dominium de Glencuthill jacens in baronia nostra de Kynedward, et villam de Alathan in comitatu de Buchan,' resigned in the Earl's hands by the Sheriff and his wife. (*Id.*)

Alexander Stewart earl of Mar, in the year 1427, directs a precept to Duncan Forbes his bailie, for giving seisin of the lands of Montblair, in the barony of Strathalvath and shire of Banff, 'dilecto confederato nostro Patricio de Ogilvy filio et heredi Alexandri de Ogilvy vicecomitis de Angus,' and Christian his wife. (*Id.*)

In the year 1466, under a breve from the King's chancery, Alexander Ogilvy of Achterhouse is served heir to his mother Cristian Keyth, in the lands of the lordship of Grandoun and Fotherleter; Robert Stewart of Lathers appearing as his attorney. (*Id.*)

'Reginaldus de Irwyne dominus de Maines' gives 'nobili viro Patricio de Ogilvy et Cristiane sponse sue, omnes et singulas terras meas de Maines unacum quarta parte ville de Coule cum molendino de Maynes et sequelis ejusdem ville cum pertinentiis infra vicecomitatum de Forfar, in excambium ville de Glencuthill cum molendino ejusdem in vicecomitatu de Aberdene; tenendas de domino Johanne Lyon superiore earundem;' by a charter dated on the twenty-eighth of May 1422, 'testibus domino Alexandro de Lychton priore domus de Torphichen, domino Thoma de Tynningham et Willelmo de Crawford archidiacono et cantore ecclesie Aberdonensis, etc.' The granter's seal is appended, showing three holly leaves, with a mullet in the centre. (*Id.*) The charter is confirmed by the Regent Albany, on the nineteenth of June 1422, 'Patricio de Ogilvy de Grandoun filio et heredi Alexandri de Ogilvy de Ochterhouse.' (*Id.*)

In the year 1534, John earl of Buchan gives 'honorabili viro Andree Bard de Levrok-law' his lands of Glencuthill 'et terras de Achmeddan in baronia de Glendouachy et vicecomitatu de Banff;' 'testibus Georgio Baird de Ardynhouff etc.' (*Id.*) A precept of

naldi et Agneti Fraser sponse sue [*etc.*] · intellexisse plenius in hec verba · ·  
 OMNIBUS hanc cartam visuris vel audituris · Willelmus Fraser dominus de  
 Filorth · salutem in Domino sempiternam · Sciatis me dedisse [*etc.*] dilecto  
 meo et speciali Willelmo de Forbes de Kynnaldy et Agneti sponse sue ·  
 omnes et singulas terras de Glaslach / Culcaok / Tulynamolt / Neither  
 Bulgny / Wvir Bulgny / Midlmas Bulgny / Achlun / Petslegach / Ach-  
 macludy / cum molendino de Bulgny et lapicidio de Culburty cum perti-  
 nentijs · jacentes in barronia de Abirdour infra vicecomitatum de Aber-  
 den · causa matrimonij contracti et perimpleti inter predictum Willel-  
 mum de Forbes et Agnetem Fraser filiam meam antedictam · Tenendas  
 et habendas omnes et singulas terras prenotatas [*etc.*] predictis Willelmo  
 de Forbes et Agneti Fraser sponse sue et eorum diutius viventi et here-  
 dibus de corpore dicti Willelmi legittime procreatis seu procreandis · qui-  
 bus forte deficientibus Domino Alexandro Forbes militi domino ejusdem  
 et heredibus suis de corpore suo legittime procreatis seu procreandis /  
 quibus forte deficientibus mihi et heredibus meis legitimis quibuscunque ·  
 de magnifico domino et potente Jacobo de Douglas domino de Bal-  
 veny et de Aberdour · in feodo et hereditate in perpetuum [*etc.*] · Red-  
 dendo inde annuatim [*etc.*] prefato Jacobo de Douglas et heredibus suis  
 servitia inde debita et consueta tantum pro omni alio servitio [*etc.*] ·  
 In cujus rei testimonium sigillum meum presentibus apposui · Apud Aber-  
 den duodecimo die mensis Augusti anno Domini millesimo quadringen-  
 tesimo vicesimo quarto · Testibus reverendo in Christo patre domino  
 Henrico Dei gratia episcopo Aberdonensi · dominis et magistris Thoma  
 de Tynnyngnam archidiacono · Willelmo de Craufurd cantore · Dun-  
 cano Petite cancellario ecclesie Aberdonensis · Alexandro de Irwine  
 milite domino de Drum · Roberto de Irwine fratre suo · Andrea Gif-

seisin, of the year 1535, is directed to George Baird of Ordynghuiff and to William Baird his son and heir apparent. (*Id.*)

In the year 1544, George Baird son and heir of the deceased Andrew Baird of Glencuthil obtains a precept for infefting him in the lands of Glencuthill and Achmedan in the barony of Glendowachy. (*Id.*)

In the year 1565, James earl of Murray and lord Abernethy grants a charter to George Baird of Auchmedan of the lands of Glencuthil which he had received of the Countess of Buchan, and of the lands of Auchmedan which he had bought. The Earl's seal shows the Royal arms in the first and fourth quarters, and the coat of Dunbar in the second and third, within a double tressure, a bend dexter reaching from the one corner of the shield to the other. (*Id.*)

farde . et Simone Banerman . cum multis et diversis alijs . . QUAM-  
 QUIDEM cartam [*etc.*] una cum confirmatione predicti Jacobi de Douglas  
 de Balveny domini superioris earundem terrarum quam sanam et integram  
 inspeximus in omnibus punctis suis [*etc.*] in perpetuum confirmamus .  
 Salvo servitio nostro . In cujus rei testimonium presenti carte nostre  
 confirmationis magnum sigillum apponi precepimus . Testibus reverendo  
 in Christo patre Johanne ecclesie Glasguensis electo confirmato . Jo-  
 hanne Forrestare camerario . Robert de Lauder justiciario . et Waltero  
 de Ogilby thesaurario regni nostri . militibus . et magistro Johanne de  
 Shives clerico registri nostri . Apud Sanctum Andream decimo octavo  
 die mensis Julij anno gratie millesimo quadringentesimo vicesimo sexto .  
 et regni nostri vicesimo primo .

THE PARISH OF PITSLIGO<sup>1</sup>

Act in favour of the laird of Pitsligo.<sup>2</sup> (28th June 1633.)



OUR SOVERANE LORD and thrie estates of par-  
 liament considering that the parochine of Aberdour lyand  
 withine the diocie and shirefdome of Abirdeine is soe  
 great and spacious that the haill parichioners thair of can  
 not convenientlie resort to the paroche kirk of Aberdour  
 to gett the confort of the Word preatched and the  
 Sacraments ministred to thame thairat And consider-  
 ing lykwayes that Alexander Forbes of Pitaligo patrourne  
 of the said paroche kirk and parochine of Aberdour out of the fervent zeale  
 quhilk he hes to the glorie of God and for the mair ease to himself and  
 remanent parichioners of the said parochine quha duells besyde him at the  
 eist end of the said parochine (in respect thair duelling residence and re-  
 maining is far distant fra the said kirk of Aberdour) hes not only vpon his  
 awine propper chairges and expenssis buildit and biggit vp ane new kirk  
 vpon his lands and baronie of Pitsligo lyand withine the said parochine of  
 Abirdour bot also with consent of the Bischope of Abirdeine and of the  
 present minister and persone of Aberdour titular of the said benefice and of

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 435—442.]

<sup>2</sup> [Abridged from the Acts of the Parliaments of Scotland, vol. v. p. 128.]

the heretors withine the said parochine hes devydit at the least is to devyde the samyne parochine in tua seuerall distinct parochines and hes presentit ane qualifiet minister to the said new biggit kirk vpon the saids lands of Pitsligo THAIRFOR his Hienes with advyse and consent of the thrie estates of parliament hes ratifiet all divisiones maid or to be maid of the said parochine of Aberdour betuix the said patroun with consent of the remanent heretors and the minister and persoun present and to come serving the cure at the said kirk of Aberdour And erects the said new biggit kirk vpon the said lands of Pitsligo in ane seuerall parochie kirk per se and als the haill lands divydit or to be devydit fra the said parochine of Aberdour in ane seuerall parochine per se to be callit in all tyme coming The parochie kirk and parochine of Pitsligo And becaus the said Alexander Forbes of Pitsligo is wndoubted patrone of the said parochie kirk and parochine of Aberdour (quhairof the said new erected kirk of Pitsligo and parochine thairof is ane pairt) thairfor the said Alexander Forbes of Pitsligo his airs male and successors in all tyme coming sall remaine wndoubted patrones of the said parochie kirk and parochine of Pitsligo and haue the onlie wndoubted richt of presentatione of the ministers seruing the cure thairat in all tyme thaireftir

THE PARISH OF TYRIE.<sup>1</sup>

ARTA terrarum de Bra . de Tiry . de Drum . et de Bron .<sup>2</sup> (A.D. 1367.)

Omnibus hoc scriptum visuris vel auditoris Walterus de Lesly dominus de Ross . Salutem in Domino sempiternam . Sciatis nos dedisse [*etc.*] dilecte et fidei nostre Evfemie de Sancto Claro omnes et singulas terras de Bra cum pertinentiis iacentes infra vicecomitatum de Inuerness . et de Tiry infra vicecomitatum de Aberdene . dimedietatem de Drum et tertiam partem de Bron cum pertinentiis infra vicecomitatum de Inuerness . Que quidem terre de Bra

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 449-451.]

<sup>2</sup> [From the original in the Innes charter chest at Floors.

In a roll of missing charters by King David II. is "Carta given by Hew Ross laird of

et Tiry fuerunt Alexandri de Sancto Claro hereditarie . et que medietas de Drum et terre de Bron fuerunt Elene de Sancto Claro . quas que Alexander et dicta Elena [*ect.*] mera et spontanea voluntate in manus nostras per fustum et baculum reddiderunt [*etc.*] . Tenendas et habendas dicte Eufemie pro se et heredibus suis de nobis et heredibus nostris . dando nobis et heredibus nostris annuatim duos denarios nomine albe firme ad Festum Sancti Johannis Baptiste tantum si petatur . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus Hugone de Fraser . Johanne de le Hay . et Roberto de Innes . cum multis aliis : Anno Domini . m<sup>o</sup> . ccc<sup>o</sup> . Sexagesimo Septimo .

Philorthe to Alexander Sinclair, son of Thomas Sinclair, of the lands of Eistertyrie in vicecomitatu de Aberdeen." (Robertson's Index to the Charters, p. 58; Collections for a History of the Shires of Abirdeen and Banff, p. 435.)

The same Alexander of Saint Clare, son of Thomas of Saint Clare, received from William earl of Ross, a grant of the davach of Bray, in the 'marage' of Fornewyr, in Invernesshire. (Registrum Magni Sigilli Regum Scottorum, p. 76.)

Thomas of Saint Clare appears as a witness to a charter by William earl of Ross to Henry Stewart, and Mariot his wife, of the land of Kennachrowe (Kenerove) and Strathury (Strawery), 'cum omnibus hominibus eandem terram habitantibus,' lying in the 'marage' of Delgany, the earldom of Ross, and the shire of Inverness; dated at Delgany, on the first of April 1362, "testibus Dofnaldo Dei gracia abbate de Nova Ferina . domino Symone priore de Bello Loco . Hugone de Ross et Johanne de Ross fratribus nostris . Johanne de Haya domino de Tolibothuille . Thoma de Sancto Claro et aliis . " The grant is confirmed by King Robert II., on the sixth of March 1372, 'apud Sconam in pleno Parlamento.' (Original in the Innes charter chest at Floors.)]

THE PARISH OF FRASERSBURGH.<sup>1</sup>

ANCTI Modani episcopi et confessoris qui apud Philorth percelebris habetur.<sup>2</sup>

*Oracio* . Omnipotens sempiterne Deus festiuitatem huius diei propicius intueri vt ecclesiam tuam intercessionem beati Modani episcopi et confessoris tui continua fac celebritate gaudere et omnium in te credencium vota perficias . Per [Dominum etc.] .

*Ad Matutinas* . ix . lectiones fiant : tres . i . lectiones de communi

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 431–435.

“Andrew persone del eglise de Fylorth / del counte de Abirdene” swore fealty and homage to King Edward I. of England, on his subjugation of Scotland, in the year 1296. (The Ragman Rolls, p. 164.)

In an old calendar of a lost roll of decrees in parliament is, “Resignacio aduocacionis ecclesie de Philorthe in Buchane domino Regi per Hugonem comitem de Ross / data apud Perth . xxix . Martii . m . ccc . xxx .” (Acts of the Parliaments of Scotland, vol. i. app. i. p. 163. Edinb. 1845.)

King David II., on the eighteenth of October 1345, gave his consent as patron of the benefice, to the erection of the church of Philorth into a prebend of the cathedral of Saint Machar at Aberdeen. (Registrum Episcopatus Aberdonensis, vol. i. pp. 76, 77.) But the contemplated erection was not then made; and, on the twentieth of July 1347, the King granted the church to the bishop and chapter, to be applied by them to their own proper uses, as one of their common churches. (*Id.*, p. 79.) This grant was renewed on the twentieth of January 1362, with the alteration, that the fruits of the benefice should be applied to the maintenance of two chaplains serving in the cathedral. (Registrum Magni Sigilli Regvm Scotorvm, p. 76.) On the sixth of September following, Bishop Alexander of Kyninmund, provided that the salary of these chaplains should be ten pounds yearly; that the vicar serving the cure at Philorth, and making his residence there, should have the altarage of the church, with a manse and garden; that he should pay yearly, to the common procurator of the chapter, forty shillings for the common use of the canons in residence; and that the rest of the fruits should be at the disposal of the dean and canons of the chapter, to whom the right of presentation to the vicarage was declared to belong. (Registrum Episcopatus Aberdonensis, vol. i., pp. 99–101.) Soon afterwards, the church appears to have been erected into a prebend of the cathedral. (*Id.*, vol. ii., p. 253.) In the year 1437, the prebendary of Philorth was required to find a subdeacon (to whom he was to pay forty shillings yearly) as his vicar or ‘stallar’ to serve in the cathedral. (*Id.*, vol. ii. p. 66.)]

<sup>2</sup> [From the Breuiarium Aberdonense, prop. Sanctorum pro tempore estuali fol. clxi.

*unius confessoris et pontificis: medie lectiones de Sancto Martino: tres ultime lectiones de Santo Modano de communi unius confessoris et pontificis.*

Carta pro Willelmo comite de Ross de comitatu de Ross et dominio de Sky.<sup>1</sup> (A.D. 1370.)

Dauid Dei gratia Rex Scottorum . Omnibus [etc.] salutem . Sciatis nos dedisse [etc.] dilecto consanguineo nostro Willelmo comiti de Rosse / totum comitatum de Rosse / et dominium de Sky . ac omnia alia dominia et terras cum pertinentiis . que fuerunt ipsius comitis vbicunque infra regnum / exceptis dominijs illis et terris que fuerunt dicti comitis infra vicecomitatus de Abirdene / de Drumfres / et de Wygtona . Quem quidem comitatum . terras . et dominia cum pertinentiis . idem comes [etc.] mera et spontanea voluntate sua / nobis apud Perth in pleno parlamento nostro tento ibidem vicesimo tercio die mensis Octobris . anno Domini millesimo trecentesimo septuagesimo . in presencia Roberti senescalli Scocie . comitis de Stratherne nepotis nostri / Willelmj comitis de Douglas . Georgij comitis Marchie . Johannis Senescalli comitis de Carryk / Archebaldi de Douglas . Roberti de Erskyne / Alexandri de Lyndesay . Willelmj de Disachyngtona militum et aliorum plurium baronum et nobilium regni nostri . per suas litteras patentes . et eciam cum fusto et baculo . per manus procuratorum suorum sufficientem ad hoc commissionem habentium . sursum reddidit pureque et simpliciter resignavit / [etc.] . Tenenda et habenda dicto comiti et heredibus suis masculis de corpore suo legitime procreandis / quibus deficientibus / Waltero de Lesley militi . et Eufamie sponse sue ac eorum alteri diucius viuenti et heredibus de ipsa Eufamia legitime procreatis seu procreandis . ita videlicet . quod si heres masculus de ipsa Eufamia non exierit et plures forte de se habuerit filias / senior semper filia

The same collect is appointed for the festival of Saint Modan, abbot and confessor (the patron of Fyntray in the diocese of Aberdeen, and of Roseneth in that of Argyle), on the fourth of February. (*Id. prop. Sanct. pro tempore hyemali, fol. li.*)

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, p. 74, no. 256; Acts of the Parliaments of Scotland, vol. i. app. p. 177.]

In a roll of missing charters by King Robert I., is "Carta Joannis Ros, sone to the Earl of Ros, in togher with Margaret Cumyng, doghter to the Earle of Buchan, the half of the Earle of Buchan's hail lands within Scotland." (Robertson's Index to the Charters, p. 2.)]



tam ipsius Eufamie quam suorum heredum de se exeuntium deficientibus heredibus masculis . habeat totum jus et integrum dictum comitatum dominia et terras cum pertinentiis exceptis supra exceptis / sine diuisione aliqui . Et ipsis Waltero et Eufamia sponsa sua et heredibus de ipsa Eufamia legitime procreandis fortasse deficientibus . Johanna junior filia dicti comitis et heredes sui . et quando ipsi heredes femelle fuerint semper senior heres femella sine diuisione . et participatione aliqua / totum et integram dictum comitatum dominia et terras predictas cum pertinentiis / exceptis supra exceptis / teneat et teneant / de nobis et heredibus nostris in feodo et hereditate / per omnes rectas metas et diuisas suas . cum tenandriis seruiciis liberetenencium et aduocationibus ecclesiarum / adeo libere et quiete in omnibus et per omnia . sicut dictus Willelmus comes de Rosse consanguineus noster vel aliquis predecessorum suorum . dictum comitatum . dominia et terras predictas cum pertinentiis aliquo tempore / liberius quociens et honorificentius iuste tenuit seu possedit . Faciendo inde seruicia debita et consueta . In cuius *etc.* . Testibus *etc.* Apud Perth . xxij<sup>to</sup> . die Octobris . anno regni nostri Quadragesimo primo .

Querimonia Willelmi comitis de Ross Roberto Regi .<sup>1</sup> (A.D. 1371.)

Excellentissimo principi ac domino suo reverendissimo . Domino Roberto Dei gratia Regi Scottorum . et suo bono concilio . vester humilis nepos Willelmus comes de Ross conqueritur sub hac forma . videlicet . Quod quondam bone memorie dominus meus Rex predecessor vester domino Waltero de Lesly militi ad impetrationem ejusdem dedit omnes terras meas et tenementa ac etiam fratris mei Hugonis de Ross infra Buchaniam existentes . me et fratre meo predicto non requisitis non citatis non in jure confessis nec in judicio convictis . Et cum constaret [michi] de saysina dictarum terrarum sic predicto Domino Waltero ex arupto et sine juris processu deliberata . scripsi domino Episcopo Brechynensi . tunc cancellario Scotie pro una litera attornatoria de capella Regia continente has personas . videlicet . Robertum senescallum Scotie . dominos Thomam comitem de Mar . Willelmum de Keth . Willelmum de Meldrum . et singulis eorum singulariter unam literam etiam supplicatorem ut dignentur esse attornati ad petendum a domino meo Rege

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

terras meas et fratris mei predicti ad plegium . una etiam cum una litera domino meo Regi . et alia Domine Eufamie sorori mee . super eandem materiam . Et cum predictis literis presentandis singulariter oneravi dominum Johannem de Gairdyn clericum meum canonicum Catannensem . cui itineranti occurrens Johannes de Aberkyerder . dicens se armigerum predicti Domini Walteri . ipsum arrestavit hominemque suum atrociter verberavit quia magistrum suum ad caudam equi sui noluit ligare . ipsum de omnibus literis suis spoliavit et eum ad nemora et loca devia deduxit . De cujus arrestatione predictus clericus meus non potuisset deliberari quousque convenisset sibi sex marcas sterlingorum infra tres septimanas plegiis domino Roberto rectore de Forglen et Willelmo Bysset de Routhyrlis . et fecit dictum clericum meum jurare super Sancta Evangelia presente Domino Cristino vicario de Forg quod non presentaret aliquam literam de eisdem alicui nisi pixidem cum dictis literis suo sigillo sigillatam Domino Waltero de Lesly domino suo . et quod intraret seipsum predicto Domino Waltero cum dicta pixide sigillata et sua litera . Quo facto predictus clericus sic deliberatus laboravit ad dominum suum Episcopum Aberdonensem conquerendo et ad dictum Dominum Willelmum de Keth qui ipsum de solutione pecunie predictae resolvebant . et ab hinc laboravit in Rossiam nuncians michi ista . Quo facto . sciens quod per medias personas literas meas ad plegium habere non potui . laboravi in propria persona ad dominum meum Regem usque villam de Abirdene ad petendum literas meas ad plegium . quas habere non potui nisi concedere [volui] predicto domino meo Regi pro usu Johannis de Logy totum jus meum de la Platan de Forfar .<sup>a</sup> Cujus concessione facta vocatus ad prandium cum domino meo Rege petij responsum negotiorum meorum post prandium . a quo post avisationem suam missa fuit michi in ecclesia una magna sedula questionum pro responso . allegatis in eadem pluribus autoritatibus juris civilis . qua lecta dixi quod litiscontestationem facere nolui cum domino meo Rege nec pro illa omnino veni . Et tunc nulla licentia petita ulteriori laboravi versus Rossiam nec plus cum predicto domino meo Rege usque adventum suum apud Inuernys loquabar . ubi percipientes predictum dominum meum contra me et fratrem meum Hugonem motum et dictum Dominum Walterum secum valde potiri . ego et frater meus Hugo predictus . ad statum pristinum et corporalem possessionem terra-

<sup>a</sup> [Cf. Registrum Magni Sigilli Regum Scottorum, pp. 65, 66, no. 215.]

rum nostrarum Buchanie non restaurati . predictam donationem terrarum nostrarum predictarum factam per dominum Regem predicto Domino Waltero sub sigillis nostris ratificavimus propter pericula majora tunc eminentia ut estimavimus predicto fratre nostro tunc a nobis remoto in nemoribus et alijs devijs . Et non celando veritatem rei in re vera et fide qua Deo tenemur nec fuit filia nostra cum dicto Domino Waltero sponsata cum voluntate nostra sed omnino contra voluntatem nostram . nec aliquam concessionem vel donationem terrarum vel bonorum vel conventionem quamcunque sibi fecimus aliquo tempore usque diem obitus nostri Regis David predecessoris vestri . nisi ex rigore ejusdem domini Regis et sue iracundie timore . nullo tempore nostra spontanea voluntate bona ad hoc adhibita . Et hoc Deo et sue majestati celesti et vobis vestreque majestati terrestri innotescimus presenti scripto . In cujus rei testimonium presenti scripto sigillum meum est appensum . Datum apud Edynburgh vicesimo quarto die mensis Junij . anno Domini . millesimo trecentesimo septuagesimo primo .

Ratificatio per Eufamiam dominam de Rosse terrarum de Faythley etc. . <sup>1</sup>  
(A.D. 1382.)

Omnibus hanc cartam visuris vel audituris . Eufamea domina de Rosse filia et heres Willelmi quondam comitis de Rosse . eternam in Domino salutem . Cum Joneta de Meyness filia et heres quondam Alexandri de Meyness domini de Forthyrigill [etc.] sua mera et spontanea voluntate in legitima sua viduitate existens . omnes et singulas terras de Faythley cum pertinentijs in baronia de Kynedward infra vicecomitatum de Aberdeen que fuerunt dicte Jonete . karissimo domino nostro Domino Waltero de Lesley quondam sponso nostro et domino de Rosse . per fustum et baculum sursum reddidit pureque et simpliciter resignavit . Et post modum dictus Dominus Walterus quondam sponsus noster . cum consensu et assensu nostro et ex maturo avisamento et distincta deliberatione concilij sui et nostri . predictas terras de Faythley cum pertinentijs dilecto consanguineo suo et nostro Andree Mercer ac heredibus suis et assignatis . pro servitio suo sibi et nobis impenso et in futurum impendendo . pro uno pare calcariorum deauratorum nomine albefirme heredibus dicti Domini Walteri sponsi nostri et nostris inter nos procreatis vel in pos-

<sup>1</sup> [From a Collection of Scottish Charters, MS. in the library at Panmure.]

terum procreandis . nobis annuatim per predictum Andream heredes suos et assignatos tantum persolvendo . Ac etiam dictus Dominus Walterus quondam maritus noster . nostro etiam consensu et assensu . predicto Andree heredibus ejus et assignatis novem libras sterlingorum de Fynleter . Natyrdole . et de Petyndreych . proportionaliter ac annuatim debitas . et viginti quatuor solidos de Culbreny annuatim debitos infra vicecomitatum de Banff . pro uno pare calcariorum deauratorum domino nostro Regi nomine albefirme annuatim tantum persolvendo per eundem Andream et heredes suos et assignatos . ac terras de Tyre cum pertinentiis in baronia de Kynedward infra vicecomitatum de Aberdeen . pro uno denario sterlingorum nomine albefirme per supradictum Andream heredes suos et assignatos nobis et heredibus nostris ut supra tunc annuatim persolvendo si petantur [*etc.*] . in perpetuum concessit . Nos vero . tandem nunc in nostra pura et legitima viduitate existens . predictas donationes [*etc.*] dicti Domini Walteri quondam sponsi nostri de predictis terris de Faythley . et Tyry . et annuis redditibus de Finleter . Nathyrdole . Petyndreych . et de Culbreny . cum pertinencijs suis . de consensu et assensu nostro predicto Andree heredibus suis et assignatis factas . prout carte dicti Domini Walteri quondam sponsi nostri sibi inde facte plenius continent et testantur . in omnibus et per omnia [*etc.*] et in perpetuum ratificamus [*etc.*] . In cujus rei testimonium sigillum nostrum presenti carte est appensum apud castrum nostrum de Dyngwale . nono die mensis Martij anno Domini millesimo trecentesimo octuagesimo primo . His testibus venerabili in Christo patre domino Alexandro Dei gratia episcopo Rossensi . magistro Willelmo de Digwale decano Rossensi . Waltero Senecalli . Ricardo Cumyne . militibus . Adam de Urchard vicecomite de Crombachy . Hugone de Munro . et multis alijs .

Preceptum saisine terrarum de Pittendrum et Pitblae .<sup>1</sup> (A.D. 1514.)

Willelmus comes Mariscal' etc. dilectis nostris Antonio Keth / Archibaldo Keth / Joanni Keth [*etc.*] ballivis nostris in hac parte [*etc.*] . Quia dedimus et concessimus hereditarie dilecto filio nostro Alexandro Keth . omnes et singulas terras nostras de Pittendrum et Pitblae cum suis pertinentiis

<sup>1</sup> [From a copy made from the original, at Inverugie, in the year 1704, printed in Bishop Keith's History of the Affairs of the Church and State of Scotland, vol. i., p. lxxix. Edinb. 1844.]

jacentes in baronia nostra de Aden infra vicecomitatum de Aberdyn .  
Que quidem terre [etc.] fuerunt filii nostri Gilberti Keyth hereditarie / et  
quas ipse [etc.] in manibus nostris apud castrum nostrum de Dunnotar  
per fustem et baculum [etc.] resignavit [etc.] . Vobis igitur [etc.] man-  
damus quatenus dicto Alexandro [etc.] sasinam hereditariam dictarum ter-  
rarum de Pittendrum et Pitblae [etc.] deliberetis [etc.] . Datum sub sigillo  
nostro apud castrum nostrum de Dunnotar quarto die mensis Februarii  
anno Domini millesimo quingentesimo decimo tertio .

THE PARISH OF STRICHEN.<sup>1</sup>

Act anent the parochie kirk of Strechine .<sup>2</sup> (28th June 1633.)



OUR SOVERANE LORD with advyse and consent  
of the thrie estates of parliament ratifies the act of the  
Diocesiane Synode of Abirdeine of the dait the first  
day of Maij j<sup>m</sup> vj<sup>e</sup> tuentie tua yeirs quhairby Patrick  
bishop of Abirdeine and haille assemblie forsaid with  
consent of Sir Alexander Fraser of Fraserburgh knight  
patrone of the parochines of Raithin and Fraserburgh  
and of the Lord Lovatt in quhais persone the comprys-  
ing thair of was divolvit and Thomas Fraser of Strechin thair procurator

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 409–411.]

<sup>2</sup> [From the Acts of the Parliaments of Scotland, vol. v. pp. 153, 154.]

The lands of Strichen and Kyndrocht, "Stratheyne et Kyndrochet," with their mill, were granted to Cospatric Macmadethyn by William Cumyn earl of Buchan (who died in the year 1233) for the payment yearly of two stones of wax at the Feast of Whitsunday, and the performance of so much of the military service of the earldom of Buchan as attached to these lands. (Registrum Episcopatus Aberdonensis, pp. 14, 15.)

Cospatric Macmadethyn would appear to be the same with the "Cospatrik filius Maded," who, together with his brother Malothen, is witness to a charter by Fergus earl of Buchan, (granted before the year 1214) to John the son of Uthred, of the lands of Fedreth and Ardindrach, in exchange for the lands of Slany and Crudan. (Collections for a History of the Shires of Aberdeen and Banff, pp. 408–409.)

John of Kyndrocht appears as a witness to a charter by Alexander Cumyn earl of Buchan, about the year 1250. (Original in the charter room at Castle Forbes.)

<sup>a</sup> Malotheny mac Madethy is found among the witnesses to a charter by Malcolm earl of Fyfe, between the years 1206 and 1213. (Registrum Episcopatus Moraviensis, p. 69.) Madethin mac Mathusalem is a witness to more than one charter by Duncan earl of Fyfe, who died in the year 1204. (Registrum Prioratus Sancti Andree, pp. 242–244.)

and Maister William Davidstone minister at the said kirk of Raithin and Maister William Forbes minister at the said kirk of Fraserburgh condiscendit to the disjoyning of the threttie fyve pleuchies and fyve mylnes lyand within the said parochine of Raithin thairin mentionat with the teind and viccarage thairof fra the said parochie kirk and parochine of Raithine and of the sax pleuchies of Faithlie thairinspecificit with the teinds and viccarage thairof fra the said parochine of Fraserburgh And that the samyne sould be erectit in ane new parochine and that the saids lands and pleuchies sould be annexit to the kirk of Strechin and the teindsheaves and viccarage thairof dimittit in favours of the said Thomas Fraser of Strechin and his heirs for erecting of ane new parochie kirk of Strechin and giving ane competent provisioun thairunto vnder the provisioun mentionat in the said act of assemble And siclyk ane vther act of the said Diocesane Synode or assemble of Abirdeine of the dait the nynteine day of Apryll <sup>j<sup>m</sup></sup> vj<sup>th</sup> tuentie sax yeirs quhairby the said Patrick bishope of Aberdeine and assemble forsaid ratifeit the band maid be the said Maister William Davidstone minister at Raithin to Alexander Fraser younger of Phillorth and vnuquhill Simeone lord Fraser of Lovatt in favours of the said Thomas Fraser of Strechin anent the erectioun and provisioun of the said kirk of Strechin and dismembring of the said parochine of Raithin in maner and for the caussis contenit in the said band quhilk is of the dait the tuentie tua day of October <sup>j<sup>m</sup></sup> vj<sup>th</sup> and twentie fyve yeirs And lykwayes ratifies the contract betuix the said Alexander Fraser younger of Phillorth patrone of the saids parochie kirkes of Raithin and Phillorth and the said

The benefice of Rathen in Buchan from which the parish of Strichen was chiefly taken was given to the chapter and college of canons of the cathedral of Saint Machar at Aberdeen, "in neptis vsus ad comunam suam," by King Robert I. on the twentieth of March 1328. (*Registrum Episcopatus Aberdonensis*, vol. i. pp. 47, 48.) The grant was confirmed by the bish. p. Henry le Chene, who died before the Feast of Pentecost, in the year 1329. (*Id.*, vol. ii., p. 150.) In the year 1320, the chapter's common churches of Logy-buchan and Rathene were let in lease for the yearly rent of two hundred and twelve pounds. (*Id.*, vol. i. p. 384.)

Richard parson of Rathen is a witness to charters by Adam bishop of Aberdeen, between the years 1207 and 1228. See above, pp. 18, 21; and Collections for a History of the Shires of Aberdeen and Banff, p. 565.

A prodigy in the church of Rathen, which was believed to foretoken the Great Rebellion, is described in Patrick Gordon's Short Abridgement of Britaine's Distemper from the yeare of God M D C XXXIX to M D C XLIX, p. 63.]

Thomas Fraser elder of Strechin and Thomas Fraser younger of Strechin his eldest lawfull sone of the dait at Abirdeine the tuentie fyft day of Maij j<sup>m</sup> vj<sup>e</sup> and threttie yeirs anent the establishing of the richt of patronage of the said parochie kirk of Strechin in the persone of the said Thomas Fraser elder of Strechin and his said sone And the signator superscryvit be his Majesties hand and componed and past in his Hienes exchecker grantit in favours of the said Thomas Fraser elder of Strechin and his said sone of the lands and baronie of Strechin and of the patronage of the kirk of Strechin And mair attour his Majestie with advyse and consent forsaid of new disjoines the landis and vthers aboueurratine fra the saids parochie kirkes and parochines of Rathin and Phillorth and erectis the samyne in the said parochine of Strechin and ordaines the said parochie kirk and parochine of Strechine to be in all tyme coming ane seuerall and distinct parochie kirk and parochine a pairt fra the saids parochie kirkes and parochines of Rathin and Phillorth with provisione alwayes that this ratificatioun nor na pairt thair of sall be hurtfull or preiudiciall to lord Lundores his richts priuiledges and infeftments of the samyne

Decreit of the lordis anent the reuersion of Kyndrocht .<sup>1</sup> (10 December 1494.)

The lordis auditouris decreittis and deliueris that Johnne Gordoune of Auchinluchre sall renunce and owrgiff to William Gray of Kyndrocht all richt and clame of richt propirte and possessiounne togidder witht all charteris and evidentis that he has of the ferd parte of the tounn of Kyndrocht with the pertinentis liand in the barony of Kynedwart withtin the schirefdome of Abirdene because the said William Gray has lauchfally redemit and qwitout the samyn landis efter the tenour of the reuerisioun maid to him be the said Johnne tharapon And ordinis the said John of Gordoune to ressaue the somme of five skore of markis vsuale money of Scotlande laid in the handis of maister Archibald Lindesay chantour of Abirdene for the redemyng and outqwitting of the saidis landis

<sup>1</sup> [From the *Acta Dominorum Auditorum*, p. 197.

On the ninth of July, 1494, the lords of council "decrettis and deliueris that for ocht that thai haf yit sene Alexander Fergusone in Litill Ardach dois wrang in the occupacioun and manuring of the landis of Bothmagoah and therefore ordinis him to decist and cese tharfra to be broikit and manurit be Johnne of Gordoune of Auchinluchry after the forme of the instrument of seising gevin to him tharapon." (*Acta Dominorum Concilii*, p. 366.)

according to the said reuersioun And als decrettis and deliueris that gif the forsaid somme of five skore of merkis is and hes bene in the handis of the said chanter sen the . xvij . day of Maij in the yere of God [a thousand four hundreth] . lxxxiiij . that the said Johnne of Gordoune sall content and pay to the said William the somme of . x . merkis vsuale money of Scotland for twa termes males of the samyn landis takin vp and intromettit witht be the said Johnne [*etc.*] And also decrettis and deliueris that the said Johnne of Gordoune and Alexander of Fergusson his subtenent dois na wrang in the occupatioun and manuring of the saidis landis becaus he producit a letre of tak of the saidis landis for the termes of thre yeris eftir the outquitting of the samyn [*etc.*]

THE PARISH OF CRIMOND.<sup>1</sup>

Carta Roberti Regis Scotorum concessa Archibaldo de Dowglass .  
(A. D. 1324.)



ROBERTUS Dei gratia Rex Scotorum . Omnibus pro-  
bis hominibus totius terre sue salutem . Sciatis nos  
confirmasse Archibaldo de Dowglas dilecto et fideli  
nostro pro homagio et servitio suo . dominium de Re-  
treff cum portu ejusdem . terram de Creichmonde in  
qua ecclesia est sita . terras de Creichmonde Nagorth et  
de Creichmonde Bellie cum molendino ejusdem . por-  
tum de Kindoloss . terras de Carnglass . Rothmathie .

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 423-428.]

The church of Crochtmout was erected into a prebend of the cathedral of Saint Machar at Aberdeen, by Bishop Richard Poiton, in the year 1262. (Registrum Episcopatus Aberdonensis, vol. ii. p. 252.) In the year 1437, the prebendary of Crethmont was required to find a deacon to serve as his vicar in the cathedral. (*Id.* vol. ii. p. 65.) In the year 1505, John Cardno is collated to the vicary of Crechtmont, erected by Master Gawin Dunbar, and vacant by the death of Sir John Sanchak. (*Id.* vol. i. p. 351.)

Between the years 1214 and 1233, William Cumyn, earl of Buchan, granted the lands and mill of Stratheyn and Kyndrochet to Cospatric Macmadethyn, for the payment of two stones of wax at Whitsunday yearly. This rent was afterwards given by the Earl of Buchan in free alms for ever to the chapel of the Blessed Virgin Mary in the town of Rettre in Buchan. (Registrum Episcopatus Aberdonensis, vol. i. pp. 14, 15.) At a later period the payment was changed into one of money. In the year 1451, Master



et de Tullykerath . cum pertinentiis . Tenendas et habendas eidem Archibaldo et heredibus suis de nobis et heredibus nostris in feodo et hereditate . per omnes rectas metas et divisas suas . in unam liberam baroniam . cum furca et fossa . thol et theme . sok et sak et infangandethief . libere quiete [etc.] . cum bondis bondagiis et nativis et eorum sequelis . et cum omnimodis aliis libertatibus [etc.] . Faciendo inde nobis et heredibus nostris dictus Archibaldus et heredes sui forinsecum servitium quantum pertinet ad medietatem servitii unius militis . et statutum servitium de predictis terris cum pertinentiis debitum et consuetum . In cujus rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus Bernardo abbate de Abirbrothock cancellario nostro . Thoma Ranulphi comite Moravie domino Vallis Amandie et Mannie nepote nostro . Jacobo domino de Dowglas . Gilberto de Haya constabulario nostro . et Roberto de Keith mariscallo nostro . militibus . Apud Aberdene ultimo die Februarii . anno regni nostri octavo decimo . <sup>1</sup>

Decreit anent the merchis of the common mure of the burgh of Rattray . <sup>2</sup>  
(A.D. 1571.)

We William Dalgarno in Blakwater and John Davidson in Sutassie bailies and burgesses of the bruch of Rattray chosen for the part of the communitie and inhabitants of the said brouch / and Andro Watson in Hadoch chosyn for the part of Andro Master of Erol / and Thomas Smith in Brodlands chosyn for the part of Andrew Keith of Ravenscraig on the thrid part / as juges and arbitratours equallie chosen touching the merching of the town lands and mure of Rattray pertaining to the saids baillies burgesses and the commonty of Rattray on the ane part and the lands of Hadoch

Richard of Forbes, the chamberlain of the crown lands in Marr and Buchan, in accounting for the issues of the barony of Kynedward, then in the King's hands by the death of Alexander earl of Ross, makes deduction of six shillings paid to the chaplain of Rattre from the lands of Strichen: "Et per solucionem factam capellano celebranti in capella de Rattre de vno annuo redditu sex solidorum annuatim dicte capelle debito de terris de Strathechtin de anno computi . vj . solidi." (The Chamberlain Rolls, vol. iii. p. 529.) There was a tradition, in the beginning of the last century, that the chapel was founded by an Earl of Buchan for the soul's repose of his son, who perished by drowning in a well at Rattray. (Collections for a History of the Shires of Aberdeen and Banff, p. 423.)]

<sup>1</sup> [From a copy in Macfarlane's Book of Charters, MS. Adv. Bibl.]

<sup>2</sup> [Abridged from a copy in the charter room at Slaines]

Ratray pertaining to the said Andro Master of Errol on the other part and the lands of Brodland Ratray pertaining to the said Andro Keith on the thrid part / deliveris and finds that the fauld called the Burrowfield fauld lying at the south and south west as the auld dykes merchit the samen / another fauld callit the Reghill fauld lyand bewest the Burghfield fauld / another fauld callit the Bakieley lying at the south west of the Reghill fauld / the Midle field fauld lying at the north west part of the Baikey ley / the Blaik fauld whilk now is in corn land quhairupon the house of Hadoch standit of auld lying bewest the Midle field / the Lousie fauld lying north fra the Blaik fauld / the Gallow hill fauld lying north west fra the Lousie fauld / the Hempsleid fauld lying west fra the Gallowhill fauld / the Auchtentred fauld lying due north fra the Hempslead fauld pertaining to the toun and lands of Hadoch within the auld dyke of the samin with a little piece meadow lying at the tail of the Burgh field fauld betwyxt the said fauld and the burn of Ratray northeist within the quhilkis faulds and their auld dyke are the just marks and meiths of the propir lands of Hadoch And outwith the said fauld dyks and piece meadow we find the town and lands of Hadoch to have na farther property except thair commontie of auld used and wont upon the said common mure of Ratray but prejudice of the said baillies counsale and communitie of the said burgh thair heritabil right to the said common mure And also finds the haill lands compassand the said auld dykes to be verry common mure of Ratray quhill thay cum to the baronis lands adjacent thereabout And also finds the followand to be the merches betuix the common mure of Ratray and the lands of Brodlands / beginning at the Green Myre be east the Rashelaw and as it is presently pottit And fra the first pot lineallie to the hight and bounds of the said Rashelaw and fra the said pot west to the town land pot and fra that lineallie westerlie to the nearest merch betuix Brodland and Northesse . In witnes of the quhilk thing we have subscrivit this present decreit arbitral with our hands at Ratray the vj day of July the yeir of God j<sup>m</sup> v<sup>c</sup> lxxj yeiris .

THE PARISH OF LONGLEY, INVERUGIE, OR SAINT FERGUS.<sup>1</sup>

Sancti Fergusiani epyscopi et confessoris patroni insignis de Glammis .

Oracio .



OMNIPOTENS sempiterne Deus fac nos meritis Sancti Fergusiani confessoris tui atque pontificis per gratiam tuam in fide stabiles esse et in opere efficaces vt per fidem rectam ad vitam te miserante perueniamus eternam . Per Dominum .

Lectiones .

Fergusianus postquam in Ybernia dignitate epyscopali per multos annos frueretur parata classe paucis secum

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 419–423.]

The church of Inverugie, with the chapel of Fetterangus, ‘ecclesia de Inuerugyn cum capella de Fethiranus,’ was given to the monks of Saint Thomas at Arbroath, about the beginning of the thirteenth century, by Ralph le Neym, ‘ex donacione Radulphi Naymi.’ The grant was confirmed by King William the ‘Lion, between the years 1212 and 1214; by Adam, bishop of Aberdeen, between the years 1207 and 1228; and by Pope Honorius III. on the thirteenth of May, 1220. (Registrum Vetus Cenobii de Aberbrothoc, MS. Adv. Bibl.; and above, p. 121.)

The family of ‘Le Neym,’ Namus, Nainus, or Nanus, may be traced in the chartularies, from about the middle of the twelfth to the same period of the thirteenth century, when it seems to disappear from our records. It had possessions on the eastern marches between England and Scotland, as well as in Tweeddale, and on the shores of Buchan. How, before the end of the thirteenth century, its domain of Inverugie became the inheritance of the knightly house of Le Chen, does not appear.

Radulphus Nanus is a witness, between the years 1153 and 1160, to a charter by King Malcolm, at Roxburgh, confirming a grant by the Earl Cospatric. (Liber S. Marie de Melros, vol. i. p. 9). He is a witness to charters by King William the Lion, at Lanark, between the years 1165 and 1171. (*Id.* vol. i. pp. 39, 43, 141.) Between the years 1175 and 1180, with consent of Richard his son and heir, he gives half a carucate of land, in Broctun, with common pasture of the hamlet, to the chapel of the same name, in the parish of Stobo, in Tweeddale. (Registrum Episcopatus Glasguensis, vol., i. p. 41.) Along with Richard and Ralph his sons, Ralph le Neym appears as a witness to a grant made to the monks of Melrose by Walter of Wildleshoures between the years 1165 and 1185. (Liber S. Marie de Melros, vol. i. p. 109.)

Ricardus Nanus is witness to a charter granted by Robert of Bernoldebi to the monks of Melrose, between the years 1189 and 1199 (Liber S. Marie de Melros, vol. i. pp. 142, 143); to a charter by Walter Corbet, about the year 1200 (Liber S. Marie de Calchou, vol. ii. p. 287); to an agreement between the monks of Kelso and William of Vipont in the year 1203 (*Id.* vol. i. p. 112); to charters of Earl Patrick of Dunbar, and of Walter the son of Alan

assumptis presbyteris et clericis viris Deo deditis ad partes Scocie occidentales et ad confines de Strogeth applicuit vbi cum eisdem solitariam admodum ducebat vitam vidensque terram quod esset bona ad inhabitandum

the son of Walter, the King's steward, between the years 1202 and 1214 (*Liber S. Marie de Melros*, vol. i. pp. 40, 63, 65); to a grant by Eustace de Vesci, probably of the year 1212 (*Id.* vol. i. p. 154); and to a charter by Gervase Avenel, between the years 1214 and 1218 (*Id.* vol. i. p. 177). Ricardus Nanus and Radulphus, his son, are witnesses to a charter by Robert Corbet, about the year 1210 (*Id.* vol. i. pp. 105, 106).

Ralph le Neym is witness to charters by Symon of Lyndesay, Symon Mauleverer, and Gilbert Avenel, before the year 1218. (*Liber S. Marie de Melros*, vol. i. pp. 130, 131). A charter by Ansell of Moll, granted before the year 1214, is witnessed by Henry le Neym; by Ralph le Neym, and Richard le Neym his son; and by Herbert, Walter, and Ralph, the sons of Ralph le Neym. (*Id.* vol. i. p. 129). A charter granted between the years 1216 and 1227, by Robert of Muscamp, of certain lands on the English side of the border, describes them as bounded on one part by the lands of Ralph le Neym. (*Id.* vol. i. pp. 268, 271.) 'Radulphus Nainus et Johannes persona frater suus' are witnesses to a charter by Robert, the son of Robert of Trockelawe, of the land of Schottun, about the year 1230. (*Liber S. Marie de Calchou*, vol. ii. p. 293). By a charter which is confirmed by King Alexander II., in the year 1234, Ralph le Neym gives to the monks of Kelso three acres of land in Yhetam, over against Colpinhope, beside the streamlet which divides the realms of England and Scotland, as the same had been perambulated by his father in presence of himself and his brethren. (*Id.* vol. ii. pp. 307, 308). 'Dominus Radulfus Naymin' is witness to a charter by 'Rogerus Lardenarius' before the year 1243. (*Liber S. Marie de Melros*, vol. i. p. 239.)

In the year 1459, Master John of Levingston, vicar of Inuerugy, was appointed by the alderman and common council of the burgh of Aberdeen, to be the master of work of a proposed bridge across the Dee. (Extracts from the Council Register of the Burgh of Aberdeen, 1398-1570, p. 20.) It would appear that the design was abandoned, probably as too great an undertaking for the slender revenues of the town, until it was revived in the beginning of the subsequent century by the pious Bishop Elphinstone, and successfully completed by his successor Bishop Dunbar. There seems to have been a bridge over the Dee, perhaps on the same site, in the year 1384, with a paved road leading southwards across the Mounth. (*Registrum Episcopatus Aberdonensis*, vol. ii. pp. 286, 287.) So early as the year 1234, the Dee had been spanned by a bridge at Kincardine O'Neill, where also an Hospital was built, on the line of what continued, from the eleventh to the eighteenth century, to be the main road over the Mounth, or mountain barrier dividing the northern from the southern provinces of Scotland. (*Id.* p. 268.) The remains of a third bridge over the same river, probably of the same age, were lately brought to light, near the mouth of Glenmuick; and there was, perhaps, a fourth at Durris as early as the year 1265. (*The Chamberlain Rolls*, p. 20\*)

In a diary of the time kept by a country gentleman of Buchan, it is recorded that, in the month of July or of August 1589, King James the Sixth "was at the Craig of Inuerugie, at the laird's daughter's marriage." (*Gordon's History of Scots Affairs*, vol. i. p. [xxxiii] note.)

statim humerum suum et manus ad operandum imposuit et trium ecclesiarum iecit fundamenta . Constructisque tribus ecclesiis apparatus quibus potuit et ministris eisdem impositis ulterius Dei verbum in Scotia predicatorum clam recessit et Cathaniam petiit ubi moram aliquandiu faciens non tantum verborum consonancia verum etiam virtutum flagrantia barbaros nichilominus animos ad alveolum fidei suaviter attraxit et persuasit . Atque rursum illis relictis de Cathania ad Buchaniam in loco qui nunc Lungley a vulgo dicitur [migravit] ubi etiam basilicam de nouo edificauerat que vique in hodiernum diem in ipsius beati viri honore dedicata existit . Denuo spiritu sancto duce ad locum qui Glammis dicitur perrexit ibique noua Domino connubia faciens tabernaculum Deo Jacob consecrauit requiem peregrinationis sue preeliegend . Sic plenus dierum et annorum beatus Fergusianus in dicta noua mansione quam Domino dedicauerat diem mortis sue prenuncians caput paululum inclinans in Domino obdormiuit . Cuius ossa temporis successu sicut radix sancta diuina gracia nouas emittens palmites omnibus esurientibus salutis fructum Domino operante offerebant . Sed crescentibus miraculis beati viri abbas quidam deuotus ex Scona episcopali functus auctoritate preciosas beati viri reliquias summo cum honore de marmore leuauit caputque eiusdem ad monasterium suum de Scona quam honorifice transferri fecit quo in loco Deus ipse gloriosus in sanctis suis incessanter miracula operatur . Namque mulier quedam que capitis tumorem paciebatur meritis beati viri illius intercedentibus precibus sanitati restituebatur . Quum quidam etiam infirmi et languidi recuperande sanitatis gracia dum vigilias noctis beati viri apud Lungley celebrarent mirabilem lucis claritatem intuebantur . Sed et cunctis aspicientibus reuerendum pontificem senem vultu decorum pontificalibus gemmis et auro compositis indutum altari insistens diuina celebrare videbant qui paululum ab eorum oculis euauit ex quibus gestis quam plurimi ex huiusmodi visione letificati ab eorum infirmitatibus liberabantur . Alia nempe vice orta in mare tempestate seuissima nauicula quedam piscibus onusta ante portum fluctuans periculum minabatur et ecce quidam baculum quem sanctus circumferre solebat arripiens inter vndas proiciebat . mira res . subito quasi in ictu oculi tranquillitate nauicula illa cum hominibus salua ad portum producit baculusque sancti viri sub eadem incuruatus inueniebatur<sup>1</sup> .

<sup>1</sup> [From the Breuiarium Aberdonense, prop. Sanct. pro tempore estiuale, fol. clxiiij.

Among the relics in the treasury of the cathedral of Saint Machar at Aberdeen in the years

terum procreandis . nobis annuatim per predictum Andream heredes suos et assignatos tantum persolvendo . Ac etiam dictus Dominus Walterus quondam maritus noster . nostro etiam consensu et assensu . predicto Andree heredibus ejus et assignatis novem libras sterlingorum de Fynleter . Natyrdole . et de Petyndreych . proportionaliter ac annuatim debitas . et viginti quatuor solidos de Culbreny annuatim debitos infra vicecomitatum de Banff . pro uno pare calcariorum deauratorum domino nostro Regi nomine albefirme annuatim tantum persolvendo per eundem Andream et heredes suos et assignatos . ac terras de Tyre cum pertinentiis in baronia de Kynedward infra vicecomitatum de Aberdeen . pro uno denario sterlingorum nomine albefirme per supradictum Andream heredes suos et assignatos nobis et heredibus nostris ut supra tunc annuatim persolvendo si petantur [*etc.*] . in perpetuum concessit . Nos vero . tandem nunc in nostra pura et legitima viduitate existens . predictas donationes [*etc.*] dicti Domini Walteri quondam sponsi nostri de predictis terris de Faythley . et Tyry . et annuis redditibus de Finleter . Nathyrdole . Petyndreych . et de Culbreny . cum pertinencijs suis . de consensu et assensu nostro predicto Andree heredibus suis et assignatis factas . prout carte dicti Domini Walteri quondam sponsi nostri sibi inde facte plenius continent et testantur . in omnibus et per omnia [*etc.*] et in perpetuum ratificamus [*etc.*] . In cujus rei testimonium sigillum nostrum presenti carte est appensum apud castrum nostrum de Dyngwale . nono die mensis Martij anno Domini millesimo trecentesimo octuagesimo primo . His testibus venerabili in Christo patre domino Alexandro Dei gratia episcopo Rossensi . magistro Willelmo de Digwale decano Rossensi . Waltero Senescalli . Ricardo Cumynae . militibus . Adam de Urchard vicecomite de Crombachy . Hugone de Munro . et multis alijs .

Preceptum saisine terrarum de Pittendrum et Pitblae .<sup>1</sup> (A.D. 1514.)

Willelmus comes Mariscal' etc. dilectis nostris Antonio Keth / Archibaldo Keth / Joanni Keth [*etc.*] ballivis nostris in hac parte [*etc.*] . Quia dedimus et concessimus hereditarie dilecto filio nostro Alexandro Keth . omnes et singulas terras nostras de Pittendrum et Pitblae cum suis pertinentiis

<sup>1</sup> [From a copy made from the original, at Inverugie, in the year 1704, printed in Bishop Keith's History of the Affairs of the Church and State of Scotland, vol. i., p. lxxix. Edinb. 1844.]

jacentes in baronia nostra de Aden infra vicecomitatum de Aberdyn .  
 Que quidem terre [etc.] fuerunt filii nostri Gilberti Keyth hereditarie / et  
 quas ipse [etc.] in manibus nostris apud castrum nostrum de Dunnotar  
 per fustem et baculum [etc.] resignavit [etc.] . Vobis igitur [etc.] man-  
 damus quatenus dicto Alexandro [etc.] sasinam hereditariam dictarum ter-  
 rarum de Pittendrum et Pitblae [etc.] deliberetis [etc.] . Datum sub sigillo  
 nostro apud castrum nostrum de Dunnotar quarto die mensis Februarii  
 anno Domini millesimo quingentesimo decimo tertio .

THE PARISH OF STRICHEN.<sup>1</sup>

Act anent the parochie kirk of Strechine .<sup>2</sup> (28th June 1633.)



OUR SOVERANE LORD with advyse and consent  
 of the thrie estates of parliament ratifies the act of the  
 Diocesane Synode of Abirdeine of the dait the first  
 day of Maij j<sup>m</sup> vj<sup>o</sup> tuentie tua yeirs quhairby Patrick  
 bishop of Abirdeine and haill assemblie forsaid with  
 consent of Sir Alexander Fraser of Fraserburgh knight  
 patrone of the parochines of Raithin and Fraserburgh  
 and of the Lord Lovatt in quhais persone the comprys-  
 ing thairof was divolvit and Thomas Fraser of Strechin thair procurator

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 409–411.]

<sup>2</sup> [From the Acts of the Parliaments of Scotland, vol. v. pp. 153, 154.]

The lands of Strichen and Kyndrocht, "Strathryn et Kyndrochet," with their mill, were granted to Cospatric Macmadethyn by William Cumyn earl of Buchan (who died in the year 1232) for the payment yearly of two stones of wax at the Feast of Whitsunday, and the performance of so much of the military service of the earldom of Buchan as attached to these lands. (Registrum Episcopatus Aberdonensis, pp. 14, 15.)

Cospatric Macmadethyn would appear to be the same with the "Cospatrik filius Maded," who, together with his brother Malothen, "is witness to a charter by Fergus earl of Buchan, (granted before the year 1214) to John the son of Uthred, of the lands of Fedreth and Ardindrach, in exchange for the lands of Slany and Crudan. (Collections for a History of the Shires of Aberdeen and Banff, pp. 408–409.)

John of Kyndrocht appears as a witness to a charter by Alexander Cumyn earl of Buchan, about the year 1250. (Original in the charter room at Castle Forbes.)

<sup>a</sup> Malotheny mac Madethy is found among the witnesses to a charter by Malcolm earl of Fyfe, between the years 1266 and 1272. (Registrum Episcopatus Moraviensis, p. 59.) Madethin mac Mathrusalem is a witness to more than one charter by Duncan earl of Fyfe, who died in the year 1204. (Registrum Prioratus Sancti Andree, pp. 242–244.)

and Maister Williame Davidsons minister at the said kirk of Raithin and Maister Williame Forbes minister at the said kirk of Fraserburgh condiscendit to the disjoyning of the threttie fyve pleuches and fyve mylnes lyand within the said parochine of Raithin thairin mentionat with the teind and viccarage thairof fra the said parochie kirk and parochine of Raithine and of the sax pleuches of Faithlie thairinspecificit with the teinds and viccarage thairof fra the said parochine of Fraserburgh And that the samyne sould be erectit in ane new parochine and that the saids lands and pleuches sould be annexit to the kirk of Strechin and the teindsheaves and viccarage thairof dimittit in favours of the said Thomas Fraser of Strechin and his airs for erecting of ane new parochie kirk of Strechin and giving ane competent provisione thairwnto vnder the provisione mentionat in the said act of assemblie And siclyk ane vther act of the said Diocesione Synode or assemblie of Abirdeine of the dait the nynteine day of Apryll j<sup>m</sup> vj<sup>e</sup> tuentie sax yeirs quhairby the said Patrick bishope of Aberdeine and assemblie forsaid ratifeit the band maid be the said Maister William Davidsons minister at Raithin to Alexander Fraser younger of Phillorth and vnuquhill Simeone lord Fraser of Lovatt in favours of the said Thomas Fraser of Strechin anent the erectioun and provisione of the said kirk of Strechin and dismembring of the said parochine of Raithin in maner and for the caussis contenit in the said band quhilk is of the dait the tuentie tua day of October j<sup>m</sup> vj<sup>e</sup> and twentie fyve yeirs And lykwayes ratifies the contract betuix the said Alexander Fraser younger of Phillorth patrone of the saids parochie kirkes of Rathin and Phillorth and the said

The benefice of Ratheyn in Buchan (from which the parish of Strichen was chiefly taken) was given to the chapter and college of canons of the cathedral of Saint Machar at Aberdeen, "in proprios vsus ad communam suam," by King Robert I., on the twentieth of March 1328. (*Registrum Episcopatus Aberdonensis*, vol. i. pp. 47, 48.) The grant was confirmed by the bishop, Henry le Chene, who died before the Feast of Pentecost, in the year 1329. (*Id.*, vol. ii., p. 150.) In the year 1520, the chapter's common churches of Logybuchan and Rathyne were let in lease for the yearly rent of two hundred and twelve pounds. (*Id.*, vol. i. p. 384.)

Richard parson of Rathen is a witness to charters by Adam bishop of Aberdeen, between the years 1207 and 1228. See above, pp. 18, 21; and *Collections for a History of the Shires of Aberdeen and Banff*, p. 565.

A prodigy in the church of Rathen, which was believed to foretoken the Great Rebellion, is described in Patrick Gordon's *Short Abridgement of Britaine's Distemper from the yeare of God M D C XXXIX to M D C XLIX*, p. 63.]



Thomas Fraser elder of Strechin and Thomas Fraser younger of Strechin his eldest lawfull sone of the dait at Abirdeine the tuentie fyft day of Maij j<sup>m</sup> vj<sup>e</sup> and threttie yeirs anent the establishing of the richt of patronage of the said parochie kirk of Strechin in the persone of the said Thomas Fraser elder of Strechin and his said sone And the signator superscryvit be his Majesties hand and componed and past in his Hienes exchecker grantit in favours of the said Thomas Fraser elder of Strechin and his said sone of the lands and baronie of Strechin and of the patronage of the kirk of Strechin And mair attour his Majestie with advyse and consent forsaid of new disjoines the landis and vthers aboueurratine fra the saids parochie kirkes and parochines of Rathin and Phillorth and erectis the samyne in the said parochine of Strechin and ordaines the said parochie kirk and parochine of Strechine to be in all tyme coming ane seuerall and distinct parochie kirk and parochine a pairt fra the saids parochie kirkes and parochines of Rathin and Phillorth with provisione alwayes that this ratificatioun nor na pairt thair of sall be hurtfull or preiudiciall to lord Lundores his richts priuiledges and infestments of the samyne

Decreit of the lordis anent the reuersion of Kyndrocht .<sup>1</sup> (10 December 1494.)

The lordis auditouris decreittis and deliueris that Johnne Gordoune of Auchinluchre sall renunce and owrgiff to William Gray of Kyndrocht all richt and clame of richt propirte and possessione togidder witht all charteris and evidentis that he has of the ferd parte of the tounn of Kyndrocht with the pertinentis liand in the barony of Kynedwart withtin the schirefdome of Abirdene because the said William Gray has lauchfally redemit and qwitout the samyn landis efter the tenour of the reuersion maid to him be the said Johnne tharapon And ordinis the said John of Gordoune to ressaue the somme of five skore of markis vsuale money of Scotlande laid in the handis of maister Archibald Lindesay chantour of Abirdene for the redemyng and outqwitting of the saidis landis

<sup>1</sup> [From the *Acta Dominorum Auditorum*, p. 197.

On the ninth of July, 1494, the lords of council "decrettis and deliueris that for ocht that thai haf yit sene Alexander Fergusone in Litill Ardach dois wrang in the occupacioun and manuring of the landis of Bothmagoah and therefore ordinis him to decist and cese tharfra to be broikit and manurit be Johnne of Gordoune of Auchinluchry after the forme of the instrument of seising gevin to him tharapon." (*Acta Dominorum Concilii*, p. 366.)]

according to the said reuersioun And als decrettis and deliueris that gif the forsaid somme of five skore of merkis is and hes bene in the handis of the said chanter sen the . xviiij . day of Maij in the yere of God [a thousand four hundreth] . lxxxiiij . that the said Johnne of Gordoune sall content and pay to the said William the somme of . x . merkis vsuale money of Scotland for twa termes malez of the samyn landis takin vp and intromettit witht be the said Johnne [*etc.*] And also decrettis and deliueris that the said Johnne of Gordoune and Alexander of Fergusson his subtenent dois na wrang in the occupatioun and manuring of the saidis landis becaus he producit a letre of tak of the saidis landis for the termes of thre yeris eftir the outqutting of the samyn [*etc.*]

THE PARISH OF CRIMOND.<sup>1</sup>

Carta Roberti Regis Scotorum concessa Archibaldo de Dowglass.  
(A. D. 1324.)



ROBERTUS Dei gratia Rex Scotorum . Omnibus pro-  
bis hominibus totius terre sue salutem . Sciatis nos  
confirmasse Archibaldo de Dowglas dilecto et fideli  
nostro pro homagio et servitio suo . dominium de Re-  
treff cum portu ejusdem . terram de Creichmonde in  
qua ecclesia est sita . terras de Creichmonde Nagorth et  
de Creichmonde Bellie cum molendino ejusdem . por-  
tum de Kindoloss . terras de Carnglass . Rothmathie .

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 423-428.]

The church of Crechtmont was erected into a prebend of the cathedral of Saint Machar at Aberdeen, by Bishop Richard Poiton, in the year 1262. (*Registrum Episcopatus Aberdonensis*, vol. ii. p. 252.) In the year 1437, the prebendary of Crethmont was required to find a deacon to serve as his vicar in the cathedral. (*Id.* vol. ii. p. 65.) In the year 1505, John Cardno is collated to the vicary of Crechtmont, erected by Master Gawin Dunbar, and vacant by the death of Sir John Sanchak. (*Id.* vol. i. p. 351.)

Between the years 1214 and 1233, William Cumyn, earl of Buchan, granted the lands and mill of Strathelyn and Kyndrochet to Cospatric Macmadethyn, for the payment of two stones of wax at Whitsunday yearly. This rent was afterwards given by the Earl of Buchan in free alms for ever to the chapel of the Blessed Virgin Mary in the town of Rettre in Buchan. (*Registrum Episcopatus Aberdonensis*, vol. i. pp. 14, 15.) At a later period the payment was changed into one of money. In the year 1451, Master

et de Tullykerath . cum pertinentiis . Tenendas et habendas eidem Archibaldo et heredibus suis de nobis et heredibus nostris in feodo et hereditate . per omnes rectas metas et divisas suas . in unam liberam baroniam . cum furca et fossa . thol et theme . sok et sak et infangandethief . libere quiete [etc.] . cum bondis bondagiis et nativis et eorum sequelis . et cum omnimodis aliis libertatibus [etc.] . Faciendo inde nobis et heredibus nostris dictus Archibaldus et heredes sui forinsecum servitium quantum pertinet ad medietatem servitii unius militis . et statutum servitium de predictis terris cum pertinentiis debitum et consuetum . In cujus rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus Bernardo abbate de Abirbrothock cancellario nostro . Thoma Ranulphi comite Moravie domino Vallis Amandie et Mannie nepote nostro . Jacobo domino de Dowglas . Gilberto de Haya constabulario nostro . et Roberto de Keith mariscallo nostro . militibus . Apud Aberdene ultimo die Februarii . anno regni nostri octavo decimo . <sup>1</sup>

Decreit anent the merchis of the common mure of the burgh of Rattray . <sup>2</sup>  
(A.D. 1571.)

We William Dalgarno in Blakwater and John Davidson in Sutassie bailies and burgesses of the bruch of Rattray chosen for the part of the communitie and inhabitants of the said brouch / and Andro Watson in Hadoch chosyn for the part of Andro Master of Erol / and Thomas Smith in Brodlands chosyn for the part of Andrew Keith of Ravenscraig on the thrid part / as juges and arbitratours equallie chosen touching the merching of the town lands and mure of Rattray pertaining to the saids baillies burgesses and the commonty of Rattray on the ane part and the lands of Hadoch

Richard of Forbes, the chamberlain of the crown lands in Marr and Buchan, in accounting for the issues of the barony of Kynedwarde, then in the King's hands by the death of Alexander earl of Ross, makes deduction of six shillings paid to the chaplain of Rattre from the lands of Strichen: "Et per solucionem factam capellano celebranti in capella de Rattre de vno annuo redditu sex solidorum annuatim dicte capelle debito de terris de Strathechtin de anno computi . vj . solidi." (The Chamberlain Rolls, vol. iii. p. 529.) There was a tradition, in the beginning of the last century, that the chapel was founded by an Earl of Buchan for the soul's repose of his son, who perished by drowning in a well at Rattray. (Collections for a History of the Shires of Aberdeen and Banff, p. 423.)]

<sup>1</sup> [From a copy in Macfarlane's Book of Charters, MS. Adv. Bibl.]

<sup>2</sup> [Abridged from a copy in the charter room at Slaines]

Ratray pertaining to the said Andro Master of Errol on the other part and the lands of Brodland Ratray pertaining to the said Andro Keith on the thrid part / deliveris and finds that the fauld called the Burrowfield fauld lying at the south and south west as the auld dykes merchit the samen / another fauld callit the Reghill fauld lyand bewest the Burghfield fauld / another fauld callit the Bakieley lying at the south west of the Reghill fauld / the Midle field fauld lying at the north west part of the Baikey ley / the Blaik fauld whilk now is in corn land quhairupon the house of Hadoch standit of auld lying bewest the Midle field / the Lousie fauld lying north fra the Blaik fauld / the Gallow hill fauld lying north west fra the Lousie fauld / the Hempsieid fauld lying west fra the Gallowhill fauld / the Auchtentred fauld lying due north fra the Hempislead fauld pertaining to the toun and lands of Hadoch within the auld dyke of the samin with a little piece meadow lying at the tail of the Burgh field fauld betwyxt the said fauld and the burn of Ratray northeist within the quhilkis faulds and their auld dyke are the just marks and meiths of the propir lands of Hadoch And outwith the said fauld dyks and piece meadow we find the town and lands of Hadoch to have na farther property except thair commontie of auld used and wont upon the said common mure of Ratray but prejudice of the said baillies counsale and communitie of the said burgh thair heritabil right to the said common mure And also finds the haill lands compassand the said auld dykes to be verry common mure of Ratray quhill thay cum to the baronis lands adjacent thereabout And also finds the followand to be the merches betuix the common mure of Ratray and the lands of Brodlands / beginning at the Green Myre be east the Rashelaw and as it is presently pottit And fra the first pot lineallie to the hight and bounds of the said Rashelaw and fra the said pot west to the town land pot and fra that lineallie westerlie to the nearest merch betuix Brodland and Northesse . In witnes of the quhilk thing we have subscryvit this present decreit arbitral with our hands at Ratray the vj day of July the yeir of God j<sup>m</sup> v<sup>c</sup> lxxj yeiris .

THE PARISH OF LONGLEY, INVERUGIE, OR SAINT FERGUS.<sup>1</sup>

Sancti Fergusiani epyscopi et confessoris patroni insignis de Glammiss .

Oracio .



OMNIPOTENS sempiterne Deus fac nos meritis Sancti Fergusiani confessoris tui atque pontificis per gratiam tuam in fide stabiles esse et in opere efficaces vt per fidem rectam ad vitam te miserante perueniamus eternam . Per Dominum .

Lectiones .

Fergusianus postquam in Ybernia dignitate epyscopali per multos annos frueretur parata classe paucis secum

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 419-423.]

The church of Inverugie, with the chapel of Fetterangus, 'ecclesia de Inuerugyn cum capella de Fethiranus,' was given to the monks of Saint Thomas at Arbroath, about the beginning of the thirteenth century, by Ralph le Neym, 'ex donacione Radulphi Naymi.' The grant was confirmed by King William the Lion, between the years 1212 and 1214; by Adam, bishop of Aberdeen, between the years 1207 and 1228; and by Pope Honorius III. on the thirteenth of May, 1220. (*Registrum Vetus Cenobii de Aberbrothoc*, MS. Adv. Bibl.; and above, p. 121.)

The family of 'Le Neym,' Namus, Nainus, or Nanus, may be traced in the chartularies, from about the middle of the twelfth to the same period of the thirteenth century, when it seems to disappear from our records. It had possessions on the eastern marches between England and Scotland, as well as in Tweeddale, and on the shores of Buchan. How, before the end of the thirteenth century, its domain of Inverugie became the inheritance of the knightly house of Le Chen, does not appear.

Radulphus Nanus is a witness, between the years 1153 and 1160, to a charter by King Malcolm, at Roxburgh, confirming a grant by the Earl Cospatric. (*Liber S. Marie de Melros*, vol. i. p. 9). He is a witness to charters by King William the Lion, at Lanark, between the years 1165 and 1171. (*Id.* vol. i. pp. 39, 43, 141.) Between the years 1175 and 1180, with consent of Richard his son and heir, he gives half a carucate of land, in Broctun, with common pasture of the hamlet, to the chapel of the same name, in the parish of Stobo, in Tweeddale. (*Registrum Episcopatus Glasguensis*, vol., i. p. 41.) Along with Richard and Ralph his sons, Ralph le Neym appears as a witness to a grant made to the monks of Melrose by Walter of Wildeshoures between the years 1165 and 1185. (*Liber S. Marie de Melros*, vol. i. p. 109.)

Ricardus Nanus is witness to a charter granted by Robert of Bernoldebi to the monks of Melrose, between the years 1189 and 1199 (*Liber S. Marie de Melros*, vol. i. pp. 142, 143); to a charter by Walter Corbet, about the year 1200 (*Liber S. Marie de Calchou*, vol. ii. p. 287); to an agreement between the monks of Kelso and William of Vipont in the year 1203 (*Id.* vol. i. p. 112); to charters of Earl Patrick of Dunbar, and of Walter the son of Alan

assumptis presbyteris et clericis viris Deo deditis ad partes Scocie occidentales et ad confines de Strogeth applicuit vbi cum eisdem solitariam admodum ducebat vitam vidensque terram quod esset bona ad inhabitandum

the son of Walter, the King's steward, between the years 1202 and 1214 (*Liber S. Marie de Melros*, vol. i. pp. 40, 63, 65); to a grant by Eustace de Vesci, probably of the year 1212 (*Id.* vol. i. p. 154); and to a charter by Gervase Avenel, between the years 1214 and 1218 (*Id.* vol. i. p. 177). Ricardus Nanus and Radulphus, his son, are witnesses to a charter by Robert Corbet, about the year 1210 (*Id.* vol. i. pp. 105, 106).

Ralph le Neym is witness to charters by Symon of Lyndesay, Symon Mauleverer, and Gilbert Avenel, before the year 1218. (*Liber S. Marie de Melros*, vol. i. pp. 130, 131). A charter by Ansell of Moll, granted before the year 1214, is witnessed by Henry le Neym; by Ralph le Neym, and Richard le Neym his son; and by Herbert, Walter, and Ralph, the sons of Ralph le Neym. (*Id.* vol. i. p. 129). A charter granted between the years 1216 and 1227, by Robert of Muscamp, of certain lands on the English side of the border, describes them as bounded on one part by the lands of Ralph le Neym. (*Id.* vol. i. pp. 268, 271.) 'Radulphus Nainus et Johannes persona frater suus' are witnesses to a charter by Robert, the son of Robert of Trockelawe, of the land of Schottun, about the year 1230. (*Liber S. Marie de Calchou*, vol. ii. p. 293). By a charter which is confirmed by King Alexander II., in the year 1234, Ralph le Neym gives to the monks of Kelso three acres of land in Yhetam, over against Colpinhope, beside the streamlet which divides the realms of England and Scotland, as the same had been perambulated by his father in presence of himself and his brethren. (*Id.* vol. ii. pp. 307, 308). 'Dominus Radulfus Naymin' is witness to a charter by 'Rogerus Lardenarius' before the year 1243. (*Liber S. Marie de Melros*, vol. i. p. 239.)

In the year 1459, Master John of Levingston, vicar of Inuerugy, was appointed by the alderman and common council of the burgh of Aberdeen, to be the master of work of a proposed bridge across the Dee. (Extracts from the Council Register of the Burgh of Aberdeen, 1398-1570, p. 20.) It would appear that the design was abandoned, probably as too great an undertaking for the slender revenues of the town, until it was revived in the beginning of the subsequent century by the pious Bishop Elphinstone, and successfully completed by his successor Bishop Dunbar. There seems to have been a bridge over the Dee, perhaps on the same site, in the year 1384, with a paved road leading southwards across the Mounth. (*Registrum Episcopatus Aberdonensis*, vol. ii. pp. 286, 287.) So early as the year 1234, the Dee had been spanned by a bridge at Kincardine O'Neill, where also an Hospital was built, on the line of what continued, from the eleventh to the eighteenth century, to be the main road over the Mounth, or mountain barrier dividing the northern from the southern provinces of Scotland. (*Id.* p. 268.) The remains of a third bridge over the same river, probably of the same age, were lately brought to light, near the mouth of Glenmuick; and there was, perhaps, a fourth at Durris as early as the year 1265. (*The Chamberlain Rolls*, p. 20.)

In a diary of the time kept by a country gentleman of Buchan, it is recorded that, in the month of July or of August 1589, King James the Sixth "was at the Craig of Inuerugie, at the laird's daughter's marriage." (*Gordon's History of Scots Affairs*, vol. i. p. [xxxiii] note.)

statim humerum suum et manus ad operandum imposuit et trium ecclesiarum iecit fundamenta . Constructisque tribus ecclesiis apparatus quibus potuit et ministris eisdem impositis ulterius Dei verbum in Scotia predicaturus clam recessit et Cathaniam petiit ubi moram aliquandiu faciens non tantum verborum consonancia verum etiam virtutum flagrantia barbaros nichilominus animos ad alveolum fidei suauiter attraxit et persuasit . Atque rursum illis relictis de Cathania ad Buchaniam in loco qui nunc Lungley a vulgo dicitur [migravit] ubi etiam basilicam de nouo edificauerat que usque in hodiernum diem in ipsius beati viri honore dedicata existit . Denuo spiritu sancto duce ad locum qui Glammis dicitur perrexit ibique noua Domino connubia faciens tabernaculum Deo Jacob consecrauit requiem peregrinationis sue preeliegend . Sic plenus dierum et annorum beatus Fergusianus in dicta noua mansione quam Domino dedicauerat diem mortis sue prenuncians caput paululum inclinans in Domino obdormiuit . Cuius ossa temporis successu sicut radix sancta diuina gracia nouas emittens palmites omnibus esurientibus salutis fructum Domino operante offerebant . Sed crescentibus miraculis beati viri abbas quidam deuotus ex Scona episcopali functus auctoritate preciosas beati viri reliquias summo cum honore de marmore leuauit caputque eiusdem ad monasterium suum de Scona quam honorifice transferri fecit quo in loco Deus ipse gloriosus in sanctis suis incessanter miracula operatur . Namque mulier quedam que capitis tumorem paciebatur meritis beati viri illius intercedentibus precibus sanitati restituebatur . Quum quidam etiam infirmi et languidi recuperande sanitatis gracia dum vigilas noctis beati viri apud Lungley celebrarent mirabilem lucis claritatem intuebantur . Sed et cunctis aspicientibus reuerendum pontificem senem vultu decorum pontificalibus gemmis et auro compositis indutum altari insistens diuina celebrare videbant qui paululum ab eorum oculis euauit ex quibus gestis quam plurimi ex huiusmodi visione letificati ab eorum infirmitatibus liberabantur . Alia nempe vice orta in mare tempestate seuissima nauicula quedam piscibus onusta ante portum fluctuans periculum minabatur et ecce quidam baculum quem sanctus circumferre solebat arripiens inter undas proieciebat . mira res . subito quasi in ictu oculi tranquillitate nauicula illa cum hominibus salua ad portum producit baculusque sancti viri sub eadem incuruatus inueniebatur<sup>1</sup> .

<sup>1</sup> [From the Breuiarium Aberdonense, prop. Sanct. pro tempore estiuale, fol. clxiiij.

Among the relics in the treasury of the cathedral of Saint Machar at Aberdeen in the years

Carta pro Andrea de Kethe / et Joneta spona sua .<sup>1</sup> (A.D. 1391.)

Robertus Dei gracia Rex Scottorum . Omnibus [etc.] . Sciatis nos dedisse [etc.] dilecto et fideli nostro Andree de Keth . filio et heredi Johannis de Keth . de Inuerogy . fidelis nostri . et Jonete sponse sue . omnes terras de Strabrok / cum pertinentiis . iacentes in constabularia de Lynlithcu infra vicecomitatum de Edynburgh . Que fuerunt dicti Johannis et Marie Chene sponse sue ratione dicte sponse et quas dicti Johannes et Maria [etc.] in manus nostras [etc.] resignauerunt [etc.] . Tenendas et habendas [etc.] dictis Andree et Jonete sponse sue et eorum diucius viuenti ac eorum heredibus inter ipsos legitime procreatis . seu procreandis . quibus forte deficientibus veris et propinquiioribus heredibus eiusdem Andree quibus-

1436, 1465, and 1497, there is enumerated "item brachium argenteum Sancti Fergusij cum ossibus eiusdem" (Registrum Episcopatus Aberdonensis, vol. ii. pp. 143, 160, 167.) In a catalogue of the year 1518, it is described as set with precious stones: "brachium argenteum cum reliquijs Beati Fergusij ornatum lapidibus pretiosis." (*Id.* p. 172.) The inventory of the year 1550 is yet more instructive: "brachium Dni Fergusiani argento coopertum absque hostiolo cum aliquibus lapidibus sed quales ignoratur . ponderis octodecim vaciarum cum dimediata . Creditur deuotione populi aut rectoris de Skeyne aut Dyce donatum." (*Id.* p. 182.) As to the veneration in which Saint Fergus was held at Dyce of old, see Collections for a History of the Shires of Aberdeen and Banff, p. 244.]

<sup>1</sup> [From the Registrum Magni Sigilli Regum Scottorum, pp. 198, 199.]

In the same record there is a charter of confirmation by King David II., granted at Edinburgh on the twenty-sixth of May, in the year 1366, of the half of the barony of Strabrok, and the fourth part of the earldom of Caithness, to Mariot Chene, the widow of John of Douglas, and to the heirs, whether male or female, begotten between them, whom failing to her lawful heirs whomsoever. (*Id.* p. 46.)

In the year 1387, John Keth, lord of Inuerogy, appears as one of the arbiters in the dispute regarding the lands of Largyndaspok s (Knockespok), between Adam, bishop of Aberdeen, and John of Forbes, lord of that ilk. (Registrum Episcopatus Aberdonensis, vol. i. p. 176.) In the year 1398, Sir Andrew Barbas, chaplain, presented to the perpetual vicarage of the church of Duffus, by John of Keth, lord of Inuerogy and of the third part of the barony of Duffus, was rejected by William bishop of Murray, because there was no right of presentation in the lord of Inuerogy. (Registrum Episcopatus Moraviensis, p. 327.)

"Preceptum de clare constat, ab Episcopo Moraviensi datum, ad infeoffandum Willelmum magistrum Marecalli heredem Willelmi Keth olim de Inuerogie militis, atavi, in tertia parte molendini de Owtber Spyne alias Sheriffmylne prope Elgin cum tertia parte terrarum mulararum et sequelearum molendinarum ratione ejus tertiae partis terrarum domini de Duffous. Apud palatium de Spyne, 6. Apr. 1570." (Registrum Episcopatus Moraviensis, p. 421.)



cunque · adeo libere [*etc.*] sicut quondam Reginaldus Chene miles et antecessores sui dictas terras [*etc.*] tenuerunt · Reddendo [*etc.*] seruicia debita et consueta · In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum [*etc.*] · Apud Sconam quarto die Marcij · anno regni nostri Primo ·

Obligacioun of Patrick lord the Grahame · <sup>1</sup> (A.D. 1455.)

Be it kend till all men me Patrik lord the Graham to be bunden to rycht honorabil and worschipful lordis William earle of Eroll and Constabil of Scotland and Patrick Lyoun lord the Glamiss knychtis / that wher they ar bundin for me till my well belovit Gilbert of Keith of Inrugy in seven hundreth merks of usuall money of Scotland for band of mariage treatit betuixt the said Gilbert and Janet my dochter · I obliss me to hald the forsaid lordis unhurt unharmit and unscathit and if it happen me to faillye in payment as God forbid I do I oblige me and all my landis rentis possessionis gudis moveable and immoveable to be tane poindit and destrenyeable at the will of the forsaid lordis · In the witnes of the quhilk I haf set to this obligation the seall of my armes at Edinburgh the · xvj · day of June the yeir of our Lord a thousand four hundreth fifty and five yeiris · Befor thir witnes that is to say a reverend father in Christ Robert bischop of Dunblayne / Malyse earle of Menteith / and William of Murreff of Tullibarden with mony vtheris ·

Decreit anent the tak of Strabrok set be the lard of Inrugy · <sup>2</sup> (20 March 1478-9.)

The lordis auditouris decretis and deliueris that Andro Hoge sall brouk and joise and remain witht the tak of the · xiiij · merkis worth of land of Stra-

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]

<sup>2</sup> [From the *Acta Dominorum Auditorum*, p. 84; Robertson's *Parliamentary Records of Scotland*, p. 249.

On the fourth of June 1478, there is mention on the record of a claim by Sir Robert Crechtoun of Sanquhare to "the holding of the half of the landis of Strabrok and the entre of the samyn of the lard of Inrugy." (*Acta Dominorum Auditorum*, p. 59.) See also *Acta Dominorum Concilii*, p. 5.

The lands of Strabrok, in Lothian, were held, in the reign of Saint David, by Freskin the great ancestor of all the De Moravias. From his second or third son, William the son of Freskin, they descended to that lord's eldest son Saint Hugo de Moravia, lord of Duffus in Murray, who died about the year 1224; to Saint Hugo's eldest son, Sir Walter de Mo-

brok sett to him be Schir William of Keithe of Inrugy and Schir Gilbert of Keithe his sone for all the daies of his lif and pay tharfor to William of Carkettill sic competent male and dewiteis as the said landis are of avale . And that the said Schir Gilbert sall warrant the said Andro and releif him of the excrescent of the said malis mar than the said . xiiij . merkis / as was prufit befor the lordis / ande as William of Keithe procuratour to his faider grantit in presens of thaim .

Decreit anent the lands of the Esses and Pettinbaich with the fisching and cruvis of Vgy .<sup>1</sup> (20 October 1495.)

In presens of the lordis of consale comperit Maister Henry Quhite forspikare for William Keth of Inverugy askit a oot that Margret Hay lady of Fullorth producit ane infeftment in paper of the daie of the . xiiij . day of March in the yere of God . jm . iiii<sup>o</sup> . wynty and twa yeris vnder the seel and subscriptionne manuale of Schir Gilbert Keth of Inverugy knycht of the gift in lifrent of the landis of Myditease Southesse Northesse and Pettinbaich with the fisching of the watter of Vgy Scottispale and the

ravia, who died about the year 1263 ; and to Sir Walter's son and heir, Friskin de Moravia, who died before the year 1269. Leaving no male issue, his lands of Duffus and Strabrok (with the possessions which he held in Strathnaver) were divided between his daughters, Mary the wife of Sir Reginald le Chen the younger, lord of Inverurie, and Christian the wife of William lord of Federeth, in Buchan. By marriage with the heiress of Le Chen, the domain of Inverurie, with the half of Strabrok and the third part of Duffus, came into the family of Keith. (Registrum Episcopatus Moraviensis, pref. pp. xxxi.—xl.)]

<sup>1</sup> [From Robertson's Parliamentary Records of Scotland, p. 464. See also p. 478.]

In the year 1490, there was an "accioune and caus persewit on the behalf of our Soueraine Lord as tutour to James duk of Ros aganis William Kethe sone and are apperand to Gilbert Keth of Inverugy knycht as bailye to Elizabeth countas of Ros for the wrangwis intrometting with the malez and dewiteis of the landis of Fingask within the schirefdom of Abirdene . Thare was a charter producit on the peirt of our Soueraine Lord vnder the seel of sumtyme Alexander of the Ilis erle of Rosse maid to vmquhile Johne of Ogstoun of that Ilkeschewand that the said landis of Fyngask wer a tenandry of the said erledome of Ros . The lordis of consale decrettis that the said William dois wrang in the intromettin with the said landis and ordinis hym to decist therfra in tymetocum." (Acta Dominorum Concilii, pp. 124, 161.)

In the year 1494, there was an "actioun and caus persewit be Gilbert Keth of Inverugy knycht agane Johne erle of Suthirland" for the reduction of "a letre of reuerensoun gevin be the said Gilbert to the said Johne of fourtj pundis worth of his landis within Suthirlande callit Strathulaye" and of a charter "be the said Gilbert to the said Johne of fourtj pundis worth of landis of Subister and the remanent of his landis in Cathnes." (Acta Dominorum Concilii, pp. 345, 346.)]

cruffis of the samyn with thar pertinentis for the renunciatioun of certain tercis and otheris landis [*etc.*]

Anent the command and charge gevin be our Souerane Lordis lettres chargeing William Keth of Inuerugy as superior of the landis of Medilesse Southesse Northesse and Peittenhaych with the fisching of the watter of Vgy Scottispule and the cruffis of the sammyn [*etc.*] the lordis of consale [*etc.*] decrettis [*etc.*] that the said William Keth sall incontinent enter to the superiorite of the saidis landis [*etc.*] and ressaue Margrete Hay laidy of Fillorth tennent to him of the saidis landis [*etc.*]

Indentur betuix the Erle of Errol and Schir Wilyeam Keith of Inrugy .<sup>1</sup>  
(A.D. 1501.)

At Deir the twelfth day of October the yeir of God . j<sup>m</sup> . v<sup>o</sup> . and ane yeir . It is appointit betuixt ane nobil and mychty lord Wilyeam Earle of Erroll etc. and ane rycht honorabil man Willyam Keith of Inuerugy knycht that Alexander Keith son and apperand ayr til the said Schyr Wilyeam sal God willing marrie and haf to wif Beatrix Hay dochter till the said Earle in the visage of Haly Kirk betuixt the date of this writ and the fyft day of Nouember nixt to cum . for the quhilk the said Earl sal pay till the said Knycht twelve hundreth merkis usual money of Scotland And for security of payment of the said sum the forsaid Erle sal gif charter to the said Knycht under ane reversioun of ane hundreth poundis worth of his landis of Slaines to be brukit be the said Schir Wilyeam ay and whyle the said sum be payit And the said Schir Wilyeam sal gif charter to the said Beatrix in lifrent of fourty poundis worth of his land that is to say Gawaill Auchryny Hythy Miltoun and the miln to be haldin of the King and to remain in heretage to the said Alexander Keth and the ayris to be gottin betuixt the said Alexander and Beatrix And gif the said Beatrix propones ony cause of divorce the said charter to be of nae avail And as for debates movit betuix the forsaid Knycht and Margaret Hay lady of Philorth of the landis of Essies Pettenhalch and fischings the said Lord sal do his labour to aggre than by kindaes and gif he cannot the said Lord nor his sone Master of Erroll sal tak nae part with her nor the inhabitantis said landis As for the Havdauch of Ratray at the said Knycht desires the said Lord

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]

brok sett to him be Schir William of Keithe of Inrugy and Schir Gilbert of Keithe his sone for all the daies of his lif and pay tharfor to William of Carkettill sic competent male and dewiteis as the said landis are of avale . And that the said Schir Gilbert sall warrant the said Andro and releif him of the excrescent of the said malis mar than the said . xiiij . merkis / as was prufit befor the lordis / ande as William of Keithe procuratour to his faider grantit in presens of thaim .

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<sup>1</sup> [Abridged from a copy in the charter room at Siaines.]

sal shaw him his mind theranent betwix this and Yule . And hereto the said Earl to stand and the said Schir Wilyeame in hartily luf and kindnes in tymes to cum and has gifen thair bodyly aithes til uther the Halie Ewangellis tuichit . In witnes of the whilk to this present indentur interchangeable thay have affixit their seillis togidder with the subscriptionn of their handis befor thir witnes Wilyeam Master of Erroll / William Fraser of Philorth / William Hay of Ardendraught / Gilbert Hay of Delgatty / Alexander Hay of Mouquhalls / Patrick Keith / Androw Strathaughin and Schir Walter Clerk notar public . And attour gif ther be fund ony obscure thing in the premissis it is referrit to be reformit in Aberdene at the nixt justice ayr be thir personis Master of Erroll / Schir James Oglivie of Deskfuird knycht / Walter Oglivie of the Boynd / the laird of Drum and Gilbert Hay of Delgatty

Wilyeam erle of Erroll

Decreit on the pleyis with the laird of Inuerugy / <sup>1</sup> (A.D. 1505.)

At Edinburgh the fifteenth day of the moneth of March 1504 yeiris we John lord Oglivy / Alexander Lindsay of Auchtermonse knycht / Maister Gavine Dunbar archdene of Sanct Androis / Maister William Drummond dene of Dumblane / Maister David Seyton persone of Fetherkerne amicable compositoris chosin betuixt nobill and potent men William Master of Errol procurator and in name of his fader on the ta part and Schir William Keith of Inverugy knycht on the tothir part / with consent of tham came to this finall concorde that is to say That the said Lord Erle and Wilyeam Master of Errol his sone and thair kyne and freindis and the said Schir Wilyeam and Alexander his son and thair kine and freindis sal stand in unite and concord hartlines and tendernes til utheris on the maist hartlie wys for all the days of thair liffis richt as quhilum Beatrix the dochter to the said Lord Erle had leiffit and born bairnis to the said Schir Alexander whilkis mycht have been airis to his landis And in speciall tuiching the evenlynes to be had betuix the said William Keith and his sister the lady of Philorth and for the claim of sex hundreth merks claimit be the said Schir William for the rest of the tocher gud of the said Schir Alexander with the forsaid Beatrix We counsell that the said Lord Erle pay to the said Schir Wilyeam the sum of three hundreth merks and the said Schir Wilyeam sal gif ane re-

<sup>1</sup> [Abridged from a copy in the charter room at Slaines.]

versioun to the Erle of Arroll to resing the hundreth poundis worth of land that he hes on security within the barony of Slaines And also the said Schir Wilyeam Keith sal infest Schir Alexander his son in the landis of Gawill Auchrine Hithy Miltown and the myln within the barony of Inverugy to be haldin of the said Schir William in blenchfarm or then to be haldin of the King whilk the Master of Errol plesis he makand the cost of the confirmation gif he desires to haue it baldin of the King . In witnes of the quibilk thing baith the parteis and the amicable compositouris forsaidis hes subscrivyt this wryte with their awn handis

Jhon lord Oglvie

Alex<sup>r</sup> Lindsay knycht

Gavinus Dunbar

David Seton

archidiaconus Sanctiandree

manu propria

Quittance be Gilbert Keth for four merkis yeirly . <sup>1</sup> (A.D. 1504.)

Be it kend till all men be this present writ me Gilbert Keth brothyr to the laird of Inuerugy that notwithstanding of an honorabil man my master William Master of Erole is bounden to me be his obligacioun under his seill and subscriptioun in the payment of aught merks yeirly for my service as is contenit in the said obligatioun at mair length Notwithstanding the said obligation I will and grant me to haiff dischargeit be this my write four merks yearly of the said aucht merkis aye and quhyle the decease of an nobil lord Willyam Erl of Eroll and after his deceise to haff payment yeirly of the aucht merks after the form of the obligatioun maid to me tharupon . In witnes heiroy I the said Gilbert Keth hes subscrivyt this writ at Deir with my hand the nynt day of October the yeir of God . j<sup>m</sup> . fif hundreth and four yeiris . Befor thir witness Thomas Hay in Glakrero / David Hay / Schir Jhon Baxter chaplain and Schyr Jhon Fyntree nottar publict with othiris diverse .

. Gilbert Keth

Continuatioun of the actioun tuiching the ward and marriage of Inverugy . <sup>2</sup> (A.D. 1526.)

The Lordis of Articulis continewis the mater debatable depending betuix the Erle of Merschale on that ane part and Master Johnne Hay provest of

<sup>1</sup> [From a copy in the charter room at Slaines.]

<sup>2</sup> [From the Acts of the Parliaments of Scotland, vol. ii. p. 315 ; Robertson's Parliamentary Records of Scotland, p. 571.]

Guthre and utheris clamand to haue interest to the ward and mariage of Inuerrugy in the samin forme force and effect as it is now but preiudice of party unto the thrid day of the nixt sessioun after Yule witht continuatioun of days becauss the said Erle is lyand in extremite of deid and Gilbert Keith his sonne quhilk remanit here apoune the said mater is to depart to veyse his fader before his deceiss And tharfoir the actioun foirsaid at our Souerane lordis commande was continewit in manere forsaid quhill the said day sa that the said Gilbert may returne to the defence of the mater aboune writtin .

#### THE PARISH OF DEIR.<sup>1</sup>

Preceptum pro sasina terrarum de Pitfour . (A.D. 1493.)



NIERSIS pateat per presentes me Walterum Rothwene de Lownane constituisse dilectos meos Arthorum Forbas / Johannem Pantoune de Pitmeddenn et Arthorum Urchard / hac vice balliuos meos ad dandum pro me et nomine meo sasinam hereditariam honorabili viro Waltero Innes filio Walteri Innes de Inuermarke vel suo certo actornato latori presentium de omnibus et singulis terris meis de Petfour cum uniuersis suis per-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 397, 404, 185-192.]

"In the parish of Old Deer in Buchan, there is a large circle, and within it lies a big stone, much in the shape of a boat. . . . In the parish of Old Deer in Buchan, there is a Druid circle on a hill; and upon the descent of the hill there are the vestiges of above thirty little cells, which the country people call *The Picts Houses*; and possibly it might have been a convent of religious persons among the Druids. . . . As to their Cairn-fires on the eve of the first of November, though I have not seen them practised, yet I am well informed, that in Buchan and other places, they have their Hallow-Eve fires annually kept up to this day." (Dissertations Historical and Critical of the Scots, Picts, Druids and Culdees, written for private use [by Mr Lachlan Shaw] anno 1745, pp. 122, 124, 128. MS. in the possession of the Maitland Club.) Cf. History of the Province of Moray by the same author, pp. 241, 242, 246.

"Confirmation by King James I., of a charter by Robert Keith, knight, Marischal of Scotland, with consent of William Keith, knight, his son and apparent heir, 'consanguineo suo Johanni Fraser iuniori,' of the lands of New Forest in the earldom of Buchan and sheriffdom of Aberdeen: 15th April, 1426." (MS. Notes of Scottish Charters by George Crawford,



tinentiis jacentibus infra vicecomitatum de Abberden secundum formam et tenorem carte mee desuper confecte . In cuius rei testimonium sigillum meum proprium presentibus est appensum apud Perth tertio die mensis Decembris anno Domini millesimo quadringentesimo nonagesimo tertio <sup>1</sup>

The letre of reversioun of ane pleuch of Petfour . <sup>2</sup> (A.D. 1581.)

Be it kend till all men me Johnne Keytht apperand of Northfeild to be boundin to ane honorable man James Innes of Tulchis and Agnes Wrquhart his spouss that forsamekyll as the said James Innes and Agnes hes sauld heretablie to me ane plewche land of the toun and landis of Petfour with the pertinentis occupeit presentlie be Androw Staker and Androue Lorens haldin for ane penny blanche of the said James Innes lyand within the barrony of Twlchis parochin of Deir and shirefdome of Abirdene nochttheles I bindis me that quhat tyme it sal happin the said James and Agnes to pay to me all at anis togidder upon ane day betuix the rising of the sone and ganging to thairof in the parochie kyrk of Gemrye the sowme of thrie hundreth merkis wsuale money of this realme stampit plakis and pennis being except premonicioun of fourty dais being maid to me at Northfeild and parochie kirk of Gemrye upone ane Sunday be oppia proclamatioun in tyme of devin serves preching or prayeris I the said Johnne Keytht sall grant the foresaid pleuche land of Petfour to be lauchfullie redemit and the said James and Agnes Wrquhart to have fre regress and ingress to the said pleucht and gyf it sall happin ws welfullie absent oursellis fra the resseit thairof it sallbe lesum to the said James and Agnes to tell the said soume within the fersaid kirk of Gemrye befor ane nottar and sufficient witnes to depon and consing the samyn in the handis of honorabyll

author of the *Lives of the Officers of the Crown and State in Scotland*, 6 December 1720.) The New Forest, otherwise called the Forest of Cardenauche, in Buchan, was along with the barony of Aden (Alneden) given to Sir Robert of Keith, knight, Marischal of Scotland, by King Robert I. in the year 1324. (*Collections for a History of the Shires of Aberdeen and Banff*, pp. 250, 404; *Robertson's Index to the Charters*, pp. 11, 38, 58; *Registrum Magni Sigilli Regum Scotorum*, p. 224.)

<sup>1</sup> [Abridged from the original in the Innes charter chest at Floors Castle.

The lands of Lounan in Angus, and of Petfour in Buchan, were, in the year 1383, granted by King Robert II. to his bastard son Alexander Stewart. (*Collections for a History of the Shires of Aberdeen and Banff*, p. 404.)]

<sup>2</sup> [Abridged from the original in the Innes charter chest at Floors.]

men Patrek Cheyne of Essilmount / George Ogilwy of Dunlugus . . . .  
 Barclaye of Tollye / James Steuart of Ryland or ony ane of thame . In wit-  
 ness of the premisses I the said Johnne Keytht hes subscriuit this my letter  
 of reversioun witht my hand and hes appendit heirto my proper seille At  
                   the                   day of                   in the yeir of God ane thousand fyff  
 hundreth four scoir ane yeiris befor thir witness Schir George Scott nottar  
                   Jhone Key<sup>t</sup> apeirand of No<sup>th</sup> fidill  
   w<sup>t</sup> my hand

Ita est Dominus Georgius Scot notarius testis in premissis

Carta baronie de Touchis . <sup>1</sup> (A.D. 1587.)

Jacobus Dei gratia Rex Scotorum omnibus hominibus totius terre sue .  
 Salutem . Sciatis quia nos jam post nostram perfectam etatem viginti  
 unius annorum completam intelligentes quod in nostra minoritate tempore  
 regiminis Jacobi comitis de Mortoun domini de Dalkeith [*etc.*] nostrorum  
 liegiorum regnique nostri pro tempore regentis / quedam carta tallie per Ja-  
 cobum Innes de Touchis et Agnetam Urquhart suam coniugem dilecto  
 nostro Waltero Innes dicti Jacobi nepoti et filio et heredi quondam Walteri  
 Innes filii dicti Jacobi et heredibus suis masculis de corpore suo legitime  
 procreandis aliisque suis heredibus tallie subtus specificatis de terris de  
 Touchis cum dimidietate terrarum de Petfour unitis in unam baroniam Ba-  
 roniam de Touchis nuncupandam ac etiam de illa alia dimidietate dictarum  
 terrarum de Petfour jacentium infra vicecomitatum nostrum de Abirdene data  
 fuerat ac per nos cum auisamento dicti nostri regentis legitime confirmata  
 prout dicta carta nostra confirmationis desuper concessa sub nostro magno  
 sigillo de data apud Abirdene primo die mensis Septembris anno Domini  
 millesimo quingentesimo septuagesimo quarto proportat . Nos itaque prop-  
 ter bonum fidele et gratuitum servitium nobis per dictos Jacobum et Wal-  
 terum impensum de nouo dedimus dicto Waltero Innes nepoti dicti Jacobi  
 ac filio et heredi dicti quondam Walteri et heredibus suis masculis de cor-  
 pore suo legitime procreatis seu procreandis / quibus deficientibus Jacobo  
 Innes filio legitimo dicti Jacobi Innes de Touchis et heredibus masculis de  
 corpore suo legitime procreandis / quibus deficientibus Willelmo Innes filio  
 legitimo quondam Walteri Innes de Candruiff et heredibus masculis legiti-  
 me procreandis / quibus deficientibus Jacobo Innes fratri germano dicti Wil-

<sup>1</sup> [Abridged from the original in the Innes charter chest at Floors.]

lelmi et heredibus masculis legitime procreandis / quibus deficientibus Joanni Innes filio legitimo Alexandri Innes de Cokistoun et heredibus masculis legitime procreandis / quibus omnibus deficientibus (quod absit) dicti Walteri Innes nepotis predicti heredibus masculis et suis assignatis quibuscunque · totas et integras dictas terras de Touchis et dimidietatem dictarum terrarum de Petfour cum omnibus suis pendiculis et pertinentiis / quas in unam liberam baroniam incorporamus Baroniam de Touchis omni tempore affuturo nuncupandam · ac etiam totam et integram aliam illam dimidietatem dictarum terrarum de Petfour jacentem ut supra · Quequidem terre dicto Waltero Innes nepoti et heredi predicto perprieus pertinuerunt / et quas idem in manibus nostris apud Falkland primo die mensis Augusti instantis resignauit · Tenendas et habendas prefatas terras prefatis Waltero Innes et heredibus suis masculis et tallie prescriptis de nobis et successoribus nostris in feodo et hereditate imperpetuum · Reddendo inde annuatim jura et seruitia debita · Saluo tamen libero tenemento seu vitali reddito prefatarum terrarum Jacobo Innes de Touchis et Agneti Urquhart sue sponse eorumque alteri diutius viuenti pro omnibus eorum vite diebus · In cuius rei testimonium huic carte nostre magnum sigillum nostrum apponi fecimus · Testibus [*etc.*] · Apud Falkland primo die mensis Augusti anno Domini millesimo quingentesimo octuagesimo septimo / et regni nostro vigesimo primo ·

## NOTICES OF THE ABBEY OF SAINT MARY OF DEIR.

[*The following scanty list of the Abbots of Deir is submitted by the editor, in the hope that it may hereafter help in the compilation of a more perfect catalogue, and that, meanwhile, it may serve to supply, in some measure, the absence of charters and other ancient records of the Monastery.*]

The Cistercian abbey of Deir, dedicated, like all the houses of the order, in honour of the Blessed Virgin, was founded by William, the first Earl of Buchan, of the great race of the Cumyns, who died in the year 1233, "

" "Anno Domini m.cc. xxxij. obiit Willelmus Cumin comes de Buthhan abbatie de Der fundator." (*Chronica de Mailros*, p. 144. Edinb. 1835.) "Anno Domini millesimo ducentesimo trigesimo tertio . . . obiit Willelmus Cumyn comes de Buchan fundator abbatie de Deir." (*J. Forduni Scotichronicon*, lib. ix. cap. xlviii.; vol. ii. p. 59.) "Willelmus comes Buchanie fundator monasterii de Deyre." (*Extracta e Variis Croniciis Scocie*, p. 94.)

and is said to have chosen his sepulture within its walls.<sup>a</sup> The foundation charter is not known to exist; but it would seem to have conveyed to the brethren, the churches of Deir, and Inverugie St. Peter <sup>b</sup> (or Peterhead), together with the broad lands which they held in these parishes. By subsequent grants of their munificent founder, they acquired the lands of Fechil, on the banks of the Ythan, <sup>c</sup> and the lands of Barre in Strathisla.<sup>d</sup> The latter were granted to the monks in free forest, with right of cutting timber, for the building and repair of the monastery,<sup>e</sup> in the woods, which in that age seem to have stretched around the base of the Knock Hill.<sup>f</sup>

According to record or tradition, preserved in the abbey until the middle of the sixteenth century, the date of its foundation was the twenty-ninth of January 1219. Three of the brethren by whom it was peopled, came from a house of the order which the royal bounty of good Saint David had planted at Kynlos, in Murray, during the previous century. Their names were Hugo, Arthur, and John; and they were believed to have succeeded, one after the other, to the rule of the infant abbey.<sup>g</sup> This, however, may

<sup>a</sup> Collections for a History of the Shires of Aberdeen and Banff, p. 185.

<sup>b</sup> So called, to distinguish it from the neighbouring parish of Lungley, or Inverugie St. Fergus.

<sup>c</sup> See the charter printed below.

<sup>d</sup> See the charter printed below.

<sup>e</sup> "Tenendas . . . in libera foresta . cum omnibus sylvis nemoribus et singulis pro utilitate edificii et reparacione Monasterii de Deir."

<sup>f</sup> King Alexander II., in the year 1242, granted to Walran of Normanville, certain lands in the waste of the forest of Banff, marching with the Knock Hill, and the lands of the monks of Deir: "terras . . . in uasto foresti nostri de Banfe . . . usque ad diuisas monachorum de Kynlos subtus le Chnoc . et sic per diuisas monachorum de Dera." See above p. 109.

<sup>g</sup> "Dominus Radulphus, abbas a Kynlos quartus, obiit 8. Cal. Novembris anno Domini 1233 . . . Sub initium hujus Radulphi, hoc est anno Domini 1219, fuit erectio Monasterii a Deir 4. Cal. Feb.; et eodem die profecti sunt aliquot monachi ex Kynlos in Deir tanquam in novam coloniam. Monachorum nomina sunt, Hugo, Ardorus, et Joannes; qui, continua successione, altero decedente, subrogati sunt in ejusdem loci abbates. Haec facta sunt sub abbate a Kynlos quarto, Domino Radulpho, anno primo ipsius administrationis (sic opinatur in suo catalogo Dominus Robertus Stephanus, nunc Prior a Deir) apud monasterium a Kynlos. His tribus in Deir abbatibus successit quartus Valerantius nomine, vir (ut tum ferebat aetas) bene eruditus, et Gallus natione. Valerantio successit Richardus, qui postea nonus Abbas a Kynlos fuit." (J. Ferrerii Historia Abbatum a

not be reconciled with the more trustworthy indications of the Chronicles of Melrose.

Hugo may, perhaps, be accepted as the first abbot of Deir, on the faith of the tradition of the house, and of a marginal correction in the Melrose Annals, suggesting that the abbot whom their text reckoned as the

Kynlos, p. 24.) Ferrerius, as he tells us in this passage and elsewhere, was helped in the composition of his work by Dene Robert Stevenson, Subprior of Deir, on whose knowledge of the history of the Scottish Cistercians, he bestows great praise. Thus, on the twenty-eighth of January 1536, he writes to the Abbot of Kynlos: "id ipsum ego, quod ex te nunc cupio, adcuratissime egi in parte altera, transmissis literis ad Suppriorum a Deire apud quem multa dicuntur esse talia. Quod si voluerit (uti pollicetur) singula indicare in hac re, que sunt illi notissima, curabo et ego ne denuo per scriptorum oscitantiam tam multa vetustatis arcana in tenebras relabantur." (p. 10.) Soon afterwards Ferrerius himself addressed to the Subprior of Deir the following letter (p. 11.):

"Literatissimo vetustatis assertori Domino Roberto Stephano Suppriori a Deir suo charissimo, Salutem.

Collegi superioribus diebus, vir suavissime, praegrandem sylvam monumentorum veterum a Kynlos, veluti materiam futuro operi et historiae texendae adprimo necessariam. Verum in his, pleraque invenio obscuriora nimium et mutila magis, quam ut veritati historiae copulari digne satis queant: nisi aliunde refulserit lux aliquanto major. Et sunt in Scotia qui his tenebris multum luminis adferre possint, si rogentur; apud quos, infinita vetustatis scripta adservari non ignoramus. Sed nullum plane scio hominem, qui tam nobis possit et velit commodare in hoc opere, quam tu unus, et vetustatis adsertor et studiosorum omnium amicus adprime candidus simul et eruditus. Proinde rogo ut ex tuorum Abbatum catalogo, excerptas si quos habes (habes enim multos, scio) abbates a Kynlos, et illos ad me mittas. Nec opus est nobis tuo ad hanc rem nunc summo labore; tantum transcribito in nostrum libellum per suos locos tribus verbis Abbatum nomina, ordinem, et annum Domini. Significabis etiam an viri fuerint frugales, an parum frugi homines: et quo pacto evecti sunt ad tantam dignitatem, an canonice vel per ambitionem potius. Praeterea adjicies his, paucula quaedam de primo vestro Abbate et monachis illis qui cum eo ex Kynlos primum huc commigrarunt; ac quoties Abbates ex Kynlos acceperitis; qui etiam ex vestris ad Kynlos venerint, tanquam pastores rectoresque. Et si quid praeterea habes memoria dignum, nobis communicatum voles. Quod si feceris curabo intelligas te nequaquam luisse operam adversum eum qui te unice diligit cum toto tuo conventu et Abbate optimo. Vale. Apud Kynlos, pridie Non. Februarij 1537. calculo Romano.

Tuus ex animo JOANNES FERRERIUS Pedemontanus."

We find allusion made elsewhere to the Catalogue of the Abbots of Deir. Dempster, writing of Alan bishop of Caithness, who, he says, flourished about the year 1290, adds that he left certain works; "quorum apices in Catalogo Deirensi supersunt, et, ut existimo, apud illustrissimum Comitem Martialem in bibliotheca Dunotria extant." (*Historia Ecclesiastica Gentis Scotorum*, t. i. p. 33.) He again quotes the "*Index Deirensis*" (t. i. p. 35; t. ii. p. 491.)

first, was really the second. His rule must have been short, scarcely exceeding at the farthest eighteen months.

His successor was Dene ROBERT, who, on the death of Ralph abbot of Kynlos, on the second of November 1220, was chosen to preside over that community.<sup>a</sup>

Dene ALEXANDER, prior of Kynlos, succeeded to the rule of Deir. He died, on the sixth of September 1222, on his way to a general chapter of the order of Citeaux.<sup>b</sup>

About the beginning of the year 1224, Dene HERBERT, a monk of Cupar, was elected abbot of Deir.<sup>c</sup>

WALTER, abbot of Deir, is found in the year 1226, mediating in a controversy between the church of Murray and David of Strathbolgyn, Gylbert Hostiarius (or Durward), and others of the dioceses of Murray and Aberdeen.<sup>d</sup> The superior of the Cistercians of Buchan about this time appears to have been often engaged in offices of a like kind. In the year 1225, the Abbot of Deir was an arbiter between the Bishop of Murray and Thomas of Thirlestan, in a strife regarding the church of Abertarf; and between the same prelate and Robert Hode, in a quarrel as to the manor of Lananbrid.<sup>e</sup> In the year 1227, he was one of the judges delegated by the Pope to determine the conflicting claims of the Bishops of Murray and of Ross to diocesan jurisdiction over the churches of Ardrosser and Gyll-

<sup>a</sup> "Anno Domini m.cc.xx. . . . iiij. nonas Nouembrie Dompnus Radulfus abbas de Kinlos plenus dierum, in senectute sancta, de terris, ut credimus, in celum transmigravit; cui successit in cura regiminis Dompnus Robertus abbas primus de Der, loco cujus electus est in Abbatem de Der, Dompnus Alexander Prior de Kinlos." (*Chronica de Mailros*, p. 137.) The editor informs us that on the margin of the MS., against the words "abbas primus de Der," there is written "ij abbas de Dere." John of Fordun repeats the annalist of Melrose, but without indicating whether Brother Robert was the first or second abbot of Deir: "Anno Domni mcccxx. . . . obiit Radulphus abbas de Kinlos; cui successit Robertus abbas de Deer." (*Scotichronicon*, lib. ix. cap. xxxiv. ; vol. ii. p. 44.)

<sup>b</sup> "Anno Domini m.cc.xxij. . . obiit Dompnus Alexander abbas de Der in itinere versus capitulum generale apud Vallem Beate Marie viij idus Septembris." (*Chronica de Mailros*, p. 138.)

<sup>c</sup> "Anno Domini m.cc.xxij. . . circa idem tempus [scilicet Vigiliam Epiphanie] Dompnus Herbertus monachus de Cupro factus est Abbas a Der." (*Chronica de Mailros*, p. 140.)

<sup>d</sup> *Registrum Episcopatus Moraviensis*, pp. 78-80.

<sup>e</sup> *Registrum Episcopatus Moraviensis*, pp. 20, 21, 459-461.

talargyn; <sup>a</sup> and in the year 1229 he was present at the settlement of a dispute, between the Bishop of Murray and the Abbot and convent of Kynlos, as to the tithes of Strathisla. <sup>b</sup>

The death of WALRAN, abbot of Deir, is recorded in the year 1234. <sup>c</sup> He may be supposed to be the same with Valerantius, a native of France, the fourth abbot in the list of Ferrerius, who commends him for his learning. <sup>d</sup>

HUGH, the venerable prior of Melrose, was chosen in his place; but at the end of twelve months resigned the office, partly on account of his bodily infirmities, partly by reason of the too keen and searching air of Buchan. Returning to the serener skies of Teviotdale, he was re-elected to the priorate, and died soon afterwards. <sup>e</sup>

The monks of Deir took their next abbot from their own cloister. He was named ROBERT, and ruled the brethren for the long period of seventeen years, dying in the year 1252. <sup>f</sup>

HENRY, prior of Kynlos, succeeded in the same year. He was deposed in the year 1262, but for what cause does not appear. <sup>g</sup> In his time, an agreement was made between the Bishop of the diocese, his dean and chapter, on one side, and the Abbot and convent, on the other, by which twenty merks yearly from the fruits of the church of Deir were assigned to a canon of the

<sup>a</sup> *Registrum Episcopatus Moraviensis*, pp. 81, 82.

<sup>b</sup> *Registrum Episcopatus Moraviensis*, p. 86.

<sup>c</sup> "Anno m.cc.xxxiiij . . . obiit dominus Walranus abbas de Der, in cujus loco electus est venerabilis Hugo prior de Melros." (*Chronica de Mailros*, p. 144.)

<sup>d</sup> J. Ferrerii *Historia Abbatum a Kynlos*, p. 24.

<sup>e</sup> Anno Domini m.° cc.° xxx.° v.° . . . dominus Hugo electus de Der post explecionem unius anni quo supradicte ecclesie prae fuit, tam pro infirmitate corporis quam pro asperitate aeris ibidem existentis, ad Melrosensem rediit cenobium, ibique suo cessit officio; nec multo post, in prioratu restitutus, fideliter migravit ad Dominum. Factus est autem abbas de Der, Robertus ejusdem domus monachus." (*Chronica de Mailros*, p. 145.)

<sup>f</sup> "Anno Domini m.cc.liij. . . ex hac luce migraverunt Gaufridus abbas de Sancto Seruano, et Robertus abbas de Dere; et factus est abbas de Dere, Henricus prior de Kynlos." (*Chronica de Mailros*, p. 179.)

<sup>g</sup> "Anno Domini m.cc.lxij. H. abbas de Dere a regimine sui gregis absolvitur, et ad eos regendos. . . ." (*Chronica de Mailros*, p. 185.) A note by the editor informs us that after the word 'regendos', a line has been erased from the manuscript, and that at the foot of the page "are several lines written with a style, apparently relative to the Abbey of Deer, but too much defaced to be legible."

cathedral of Saint Machar at Aberdeen.<sup>a</sup> The prebend thus erected, was styled that of Deir; and by the constitutions of Bishop Peter of Ramsay, in the year 1256, its possessor was required to find a subdeacon to serve as his vicar in the cathedral church.<sup>b</sup> The convent seem to have reserved to themselves a voice in the election of the prebendary.<sup>c</sup>

A monk of Melrose, Dene ADAM of Smalham, was chosen to be the successor of the deprived abbot; but, in the year 1267, he demitted office of his own accord, "choosing rather to live in the sweet converse of the brethren of Melrose," says the proud Chronicle of that house, "than to govern an unworthy flock, under the lowly roofs of Deir."<sup>d</sup>

Dene HUGH, the cellarer, was the next abbot; and with his accession unfortunately the Annals of Melrose close their notices of the monastery.

The doubtful authority of Ferrerius would place in the list of the abbots of Deir, about this time, Richard, afterwards abbot of Kynlos, who died in the year 1274;<sup>e</sup> and the still more suspicious testimony of Dempster would enrol in the catalogue a Saint Guinoth, whom he supposes to have been confessor to King Alexander III., and to have died in an embassy to the Count of Holland, in the year 1287.<sup>f</sup>

It is certain that, in the year 1279, an abbot of Deir, whose name is not preserved, was appointed by the Apostolic See to be judge in a controversy regarding the church of Keltalargyn, between the Bishop of Mur-

<sup>a</sup> Registrum Episcopatus Aberdonensis, vol. ii. pp. 40, 252: "Tertia decima prebenda canonic assignantur viginti marce annue de ecclesia de Deere prout plenius continetur in quadam compositione inter Episcopum decanum et capitulum de Aberden et Abbatem de Deere super hoc confecta." The deed, which has not been preserved, must have been dated before the eighteenth of April 1256.

<sup>b</sup> Registrum Episcopatus Aberdonensis, vol. ii. pp. 47, 66.

<sup>c</sup> Registrum Episcopatus Aberdonensis, vol. i. pp. 379, 380.

<sup>d</sup> "Abbas de Dere, dominus Adam de Smalham, monachus de Melros, gratis dimisit officium suum, malens dulcedinem Melrosensium, quos expertus fuerat, quam precesse tugurrio monachorum de Dere, quorum fervidam religionem nunquam per veram experientiam scire poterat; cui successit dompnus Hugo, cellerarius ejusdem domus." (*Chronica de Mailros*, pp. 197, 198.)

<sup>e</sup> J. Ferrerii *Historia Abbatum de Kynlos*, pp. 26, ix.

<sup>f</sup> *Historia Ecclesiastica Gentis Scotorum*, t. i. p. 306.

By Camerarius, Saint Guinoth is asserted to have flourished in Buchan about the middle of the ninth century. (*De Scotorvm Fortitvdine*, pp. 130, 131.)



ray, on the one side, and Sir William of Fenthon, lord of Beaufort in the Aird, and Cecily, his wife, on the other part.<sup>a</sup>

The Abbot of Deir was present at the meeting of the guardians, prelates, earls, and great barons of the realm, held at Brigham, in the year 1289, to give their assent to the marriage between the young Queen of Scots and Prince Edward of England.<sup>b</sup>

On the twenty-eighth of August 1296, at Berwick-on-the-Tweed, BRICE, abbot of Deir, swore fealty to King Edward of England.<sup>c</sup> About the same time, or between the years 1290 and 1308, the monastery obtained from John earl of Buchan, a grant of the patronage of the church of Kynedwart.<sup>d</sup> This gift from the grandson of their founder was the

<sup>a</sup> Registrum Episcopatus Moraviensis, pp. 140-142.

<sup>b</sup> Rymer's Foedera, vol. ii., p. 471.

<sup>c</sup> "A touz ceaus qui cestes presentes lettres uerront ou orront / Johan abbe de Doucequer / é le couent de mesme le leu. . . . Brice abbe de Dere / é le couent de mesme le lu. . . . Pur ceo qe nous aumes venutz á la foi / é a la uolunte du tresnoble Prince nostre chier Seigneur / Sire Edwarde par la grace de Dieu / Roi Dengleterre / Seigneur Dirlande é Ducs Daquitaigne / nous promettons pour nous é pour nos successours sur peine de cors é dauoir / é sur quant qe nous peussoms encoure / qe nous li seruirons bien é leaument contre totes gentz qui purront viure é morir / totes les foiz qe nous serrons requis ou garniz de par nostre Seigneur le Roi Dengleterre auantdit / ou par ses heirs / é qe nous leur damage ne sauons qe nous nel destorbeoms a tot nostre poer / é le leur faceoms á sauoir . E á cestes choses tenir é garder / nous obligeoms nous é nos successours / é touz nos biens / é outre ceo auons jurez sur Seintes Euangeiles estre ceo nous touz / é chescun de nous par soi auons fait feaute á nostre Seignor le Roi auantdit / en cestes paroles . . . Jeo serrai feal é leal / é foi é leaute porterai au Roi Edwarde Roi Dengleterre / é a ses heirs / de vie é de membre é de terrien honneur contre totes gentz qui purront viure é morir / é jammes pur nuly armes ne porterai / nen conseil nen aide ne serrai contre ly / ne contre ses heirs en nul cas qe poet auenir. E nous les abbés auantditz / é chescun de nous par soi / auons juré qe jeo leaument reconstrui é leaument frai les seruices / qe apartenent as tenementz qe jeo cleim tenir de li / si Dieu me eidé é les Seintz . En tesmoignance des queus choses / nous auons fait faire cestes lettres ouertes sealées de nos comuns seaus . Donées á Berewyke sur Twede / le vint é utisme jour Daust lan du regne nostre Seigneur Roi Dengleterre auantdit vintisme quart." (The Ragman Rolls, pp. 116, 117; collated with Traitez entre les Rois de France et les Rois d'Ecosse, (foll. 386-388) Fayt a Londres en 1685. MS. in the library of the Marquis of Bute.) Cf. Inventaire Chronologique des Documens relatifs á l'Histoire d'Ecosse conservés aux archives du Royaume á Paris, p. 12. Edimbourg, imprimé par la Societé d'Abbotsford, 1839.

<sup>d</sup> Robertson's Index to the Charters, p. i. no. 24.

The Abbot and convent subsequently consented to the endowment, from the fruits of the

last which the brethren of Saint Mary were fated to receive from his race or lineage. In the memorable revolution which placed the Earl of Carrick on the Scottish throne, the illustrious family of Cumyn was so utterly overthrown, that, says a Chronicle of the age, "of a name which numbered at one time three earls and more than thirty belted knights, there remained no memorial in the land, save the orisons of the monks of Deir."<sup>a</sup>

The new King, though, in the rage of war, he wasted the heritage of the Cumyns with such cruel severity

That eftre that, weile fyfty yer,  
Men menynt The Herschip of Bowchane,<sup>b</sup>

did not withhold his favour from the abbey of their foundation, when the sanguinary struggle came to an end, and his dominion was established in peace. The rolls of King Robert I. make mention of three charters which he granted to the monastery of Deir: one, conveying to it the church of Foveran; another, ratifying the gift which it had received of the church of Kynedwart; and the third, apparently confirming the possessions of the brethren generally.<sup>c</sup> Nor was the convent tardy in proffering its fealty

benefice, of a chaplainry in the cathedral of Saint Machar at Aberdeen. In the year 1437, the salary of the chaplain of Kynedwarde was three pounds six shillings and eightpence: in the years 1506 and 1519, it amounted to twice that sum, or six pounds thirteen shillings and four pence. (*Registrum Episcopatus Aberdonensis*, vol. ii. pp. 66, 95, 108.)

<sup>a</sup> "De nomine Cumyng erant tres comites, Buchanie, Marre, et Monteith, et simul xxx milites baltheo accincti; et illis exhereditatis solum permanet suffragium monachorum de Deyr, per comitem Buchanie fundato monasterio." (*Extracta e Variis Croniciis Scocie*, p. 103.) "Et quia, ut praedicitur, isti Comynenses praecipue fuerunt qui contra Regem insurrexerunt, ideo nunc deletum est quasi nomen eorum in terra, cum et tunc tanquam majores regni multiplicati fuerant supra numerum. Unde tunc computati sunt triginta duo milites hujus cognominis, qui uno et eodem tempore in regno militari accincti sunt cingulo. Ideo debent milites et magnates attendere ad Apostolicum dictum magis accurate, videlicet, Regem honorificate." (*J. Forduni Scotichronicon*, lib. x., cap. xi.; vol. ii., p. 92.) "The Cumins," says Mr. Riddel, "were certainly the most illustrious of our Scottish families; and their blood at this day circulates through all that is noble, in the sister kingdom, including even the numerous and royal descendants of King Henry the Fourth." (*Reply to the Misstatements of Dr. Hamilton of Bardowie, in his late 'Memoirs of the House of Hamilton Corrected,' p. 7. Edinb. 1828.*) Cf. Riddel on the Peerage and Consistorial Law of Scotland, vol. ii., p. 1045.

<sup>b</sup> Archdeacon Barbour's Bruce, book vi., ll. 820, 821; p. 174, edit. 1820.

<sup>c</sup> "Carta of the abbacie of Der in vicecomitatu de Aberdeen; Carta given to the abbacie of Der, the advocatioun and donatioun of the kirk of Foverne, in vicecomitatu de

to the dynasty of Bruce. The abbot of Deir sat in the parliament at Cambuskenneth, on the sixth of November 1314; and appended his seal to the ordinance which declared that all who had died in arms against King Robert, or had not then come to his allegiance, should forfeit their lands and estate, and be denounced as enemies to the realm of Scotland. He was again present in the parliament at Ayr, in the following year, which enacted that if King Robert should die without leaving male issue of his body, he should be succeeded by his brother Edward.

The name of the abbot who took part in these proceedings was MICHAEL. He is the same person, doubtless, who figures in a transaction with a baron of his neighbourhood, which, though without date, must be referred to this period. William of Fedreth, the son and heir of the deceased Sir Magnus of Fedreth, knight, becomes bound to the abbot and convent of Deir, in service, council, help, and maintenance in all their causes and affairs; and renounces all title to that portion of the park of Badorosky, on the north side of the burn, which had been claimed by his father. The monks, on their part, grant to him their lands of the greater Auchrathy, to be held of the convent, as over lord, for payment of two merks yearly, and common suit at the head courts of the abbey.\* About the year 1316, the abbot

Aberdeen; Carta given to the abbacie of Der, of the kirk of Kinerward, grantit be John Cumyng earle of Buchane, in vicecomitatu de Aberdeen." (Robertson's Index to the Charters, p. 1, nn. 22, 23, 24.)

The abbot and convent subsequently gave their consent to the erection, from the fruits of the benefice of Foveran, of a chaplainry in the cathedral church of Saint Machar, at Aberdeen. The salary of the chaplain, in the year 1437, was four pounds; and, in the years 1506 and 1519, six pounds thirteen shillings and fourpence. (Registrum Episcopatus Aberdonensis, vol. ii., pp. 66, 95, 108.)

\* Collections for a History of the Shires of Aberdeen and Banff, pp. 189, 190.

The ancient family of Fedreth derived its descent probably from John the son of Uthred, who about the year 1206 received a grant of the lands of Fedreth, in the parish of Deir, from Fergus earl of Buchan. (Collections for a History of the Shires of Aberdeen and Banff, pp. 407-409.)

Magnus of Fetherith was one of the great barons of the realm who met at Brigham, in the year 1289, to give their consent to the marriage of the young Queen of the Scots with Prince Edward of England. (Rymer's Foedera, vol. ii., p. 471.)

William of Fedreth (probably the son of Magnus) appears in the years 1286 and 1294 as the husband of Christian de Moravia, one of the heiresses of Duffus, in Murrayland. (Registrum Episcopatus Moraviensis, pp. 144, 145, 341.)

" William le fiz William de Federed / del counte de Elgyn en Morreff," swears fealty

Michael appends his seal to three charters by Eustacia of Colville, lady of Ochiltree, and widow of Sir Reginald le Chene the elder, conveying the patronage of the church of Ochiltree, in the deanery of Kyle and diocese of Glasgow, to the monks of St. Mary of Melrose.<sup>a</sup>

In the year 1325, the lord abbot of Deir, along with the abbot of Kilwynning, assisted at a perambulation of the marches between the lands of Ardlogy, belonging to the monastery of Arbroath, and the King's park of Fyvie.<sup>b</sup> About this time, according to a tradition which reached Ferrerius, Adam, a monk of Deir, was chosen abbot of Kynlos.<sup>c</sup>

The next superior of Deir, of whom record is found, is the abbot JOHN. He is a witness to the grant by Christian de Bruce, lady of The Garioch, of a toft of land, and a hundred shillings yearly, to the chapel of St. Mary the Virgin, in The Garioch. The date of the charter cannot be precisely ascertained, but it must be between the years 1338 and 1344, or the years 1355 and 1357.<sup>d</sup>

We discover that about the year 1390, the abbey burdened its lands of

to King Edward of England, on his subjugation of Scotland, in the year 1296. (The Ragman Rolls, p. 172.)

In the rolls of missing charters by King David II., are "Carta given by William Feddereffe of that ilk to William Cumming and Helen Feddereffe of the lands of Fedreffe"; "Carta to Ranald Chene of the fourth part of Kathness, given by William Fedrey, in vicecomitatu de Inuerness." (Robertson's Index to the Charters, pp. 46, 62.)

It has been supposed that William of Fedreth, the husband of Christian de Moravia, was constable of Roxburgh in the year 1362. But the authority referred to, seems rather to apply to the knightly family of Frendraught. The name, written in one place "Domino Willelmo de Fetherich tunc constabulario de Rokisburc," is written elsewhere "Domino · W · de Ferendriith tunc temporis constabulario de Rokisburc ·" (Liber S. Marie de Melros, vol. i., pp. 294, 301.)

<sup>a</sup> Liber S. Marie de Melros, vol. ii., pp. 360-362.

Among the witnesses to two of the charters is "Dominus Henricus capellanus parochialis de Deer.

<sup>b</sup> Collections for a History of the Shires of Aberdeen and Banff, p. 196.

<sup>c</sup> J. Ferrerii Historia Abbatum de Kynlos, p. 27.

<sup>d</sup> Registrum Episcopatus Aberdonensis, vol. i., pp. 66, 67.

The charter must have been granted before the close of the year 1357, when the Lady of The Garioch died. It speaks of her husband, Sir Andrew of Murray, as dead; and must, therefore, have been granted after the year 1338, the date of his decease. It is witnessed by Alexander bishop of Aberdeen; and must have been granted, therefore, either between the years 1338 and 1344, during the episcopate of Alexander of Kynninmund,

Fechil, on the Ithan, with the yearly payment of a merk sterling to Laurence of Foty, a burges of Aberdeen, in exchange for a tenement and building in the burgh of Aberdeen, in the street called The Foty Gate, between the land of Duncan Lang and the land of Duncan of Tarves.<sup>a</sup>

King Robert III., between the years 1390 and 1406, bestowed on the monks of Deir the custom-duty, which had been payable to the crown, on the wool both of the abbey's lands, and of the parishes of which it held the tithes.<sup>b</sup> The brethren would seem to have devoted considerable attention to the preparation of the fleece. In the year 1364, the monastery furnished to the King's chamberlain, wool of the value of several pounds; and in the year 1401, the abbot of Der is enumerated among the lords and freeholders of Buchan, from whom the burgesses of Aberdeen were forbidden to buy wool, except at certain prices fixed by municipal statute.<sup>c</sup>

The notices which occur of the abbey during the fifteenth century are few and scanty.

In the year 1403, the abbot of Deir was present, along with the bishop of the diocese, in the vestry of the church of St. Nicholas at Aberdeen, at an

the first of that name; or between the years 1355 and 1357, during the episcopate of the second Alexander of Kyninmund.

<sup>a</sup> *Registrum Episcopatus Aberdonensis*, vol. i., pp. 189, 190.

It is believed that a spacious house, built in the form of a court, on the south side of The Castlegate, which after the Reformation became the property of the Earls Marischal, originally belonged to the Lord Abbot of Deir. (*Collections for a History of the Shires of Aberdeen and Banff*, p. 187; *Inquisitiones Speciales vicecom. de Aberdeen*, no. 240.) Marischal's Lodging, or Marischal's Hall, as it was called, after filling a notable place in the annals of the Brave Town, was pulled down about the year 1765, to make way for the street which takes its name from the old mansion. (*The Book of Bon-Accord*, pp. 118–121, 145.) It may be allowed, perhaps, to conjecture, that the building occupied the site of the house in The Foty Gate which the monks of Deir purchased from Laurence of Foty, at the end of the fourteenth century.

<sup>b</sup> “Carta to the abbacy of Deer, of the custom of all the wool growing within the sheriffdom and parochines of the said abbey, in vicocomitatu de Aberdeen.” (*Robertson's Index to the Charters*, p. 142, no. 90.) The word which has been rendered ‘sheriffdom,’ was probably ‘schira’ in the original; and was employed, as in the *Chartulary of Aberdeen*, and repeatedly elsewhere, to denote simply a territory or district, belonging to the church, or to the crown.

<sup>c</sup> “Computum . . . camerarii Scocie . . . anno Domini . millesimo . cccmo . lxmo . quarto . . . item computat in solucione facta . . . Abbati de Dere et Johanni Munk . pro lana recepta ab eisdem ad opus Regis vt patet per literas . . . xij libre.” (*The Chamberlain Rolls*, vol. i., p. 413.)

<sup>d</sup> Extracts from the Council Registers of the Burgh of Aberdeen, pp. 362, 366, 367.

agreement regarding the castle of Fyvie, between Margaret, widow of Sir Thomas Colvill, one of the daughters and heiresses of Sir James of Lyndesay, lord of Buchan, on the one part, and Sir Henry of Preston, lord of Fermarten, on the other.<sup>a</sup>

ROBERT, abbot of Deir, was a witness along with Gilbert, bishop of Aberdeen, and Alexander of Seton, lord of Gordon, to a charter of William Fraser of Philorth, at Aberdeen, on the thirty-first of May 1418.<sup>b</sup>

In the year 1449, it is said, the monks feued their lands of Barre, in Strathisla, to the Lord Salton of Rothiemay.<sup>c</sup>

In the parliament which met at Edinburgh, on the sixth of March 1458, the abbot of Deir was chosen to be one of the lords of session, and was appointed one of four commissioners for the reformation of the hospitals within the diocese of Aberdeen.<sup>d</sup>

Ferrerius records that between the years 1450 and 1460, while Dene John Flutere was abbot of Kynlos, one of his monks, ARTHUR, was chosen to preside over the brethren of Deir. He governed them for ten years, and bequeathed to the convent, on his death, the sum of eleven hundred merks of Scottish money.<sup>e</sup>

The abbot of Deir sat in the parliament which met at Edinburgh on the sixth of May, 1471.<sup>f</sup>

JAMES, abbot of Deir, appears on the tenth of July 1501, in a deed of perambulation of the marches between the abbey's lands of Fechil, and the lands of Tibberty, belonging to John of Turing, laird of Foveran.<sup>g</sup> He is

<sup>a</sup> Collections for a History of the Shires of Aberdeen and Banff, p. 501.

<sup>b</sup> See above, p. 379.

<sup>c</sup> A Short Account of the Abbey of Deer, MS. in the possession of the Club.

<sup>d</sup> Robertson's Parliamentary Records of Scotland, pp. 40, 41.

<sup>e</sup> J. Ferrerii Historia Abbatum de Kynlos, p. 30.

He adds a notice of one of the monks of Deir: "In hujus abbatis magistratu [A.D. 1450-A.D. 1460.] dejecti sunt Monachi Albi a Pluscardy, et Nigri intromissi. Ex Albia, duo excepti sunt in Kynlos, videlicet, Dominus Joannes Henry, et Dominus Joannes Bynes. Sed hic Bynes cum turpiter viveret in Kynlos, postea ab Joanne Ellem abbate [A.D. 1460-A.D. 1467.] transpositus est in Deir, ubi et plenus annis diem clausit extremum." The "white monks," expelled from Pluscardy, were Cistercians of the reform of Val des Choux: the "black monks," by whom they were replaced, were Benedictines from the royal house of Dunfermline.

<sup>f</sup> Robertson's Parliamentary Records of Scotland, p. 160.

<sup>g</sup> See the deed printed below.

said to have derived his surname from the lands of Pittendreich, in Banffshire, and to have resigned office in the year 1509.<sup>a</sup>

JOHN OF INNES succeeded. During his time, the monastery had a strife with the brethren of Kynlos regarding the tithes of the lands of Fechil, which were claimed by the latter as due to their church of Ellon. The monks of Deir contended that the tithes belonged to their own abbey. The dispute drew to such consequence, that it came before a provincial chapter of the order at Edinburgh, where all the Cistercian abbots in Scotland were present. Their award failed to compose the quarrel, which was then referred to the decision of the Bishop of Aberdeen. He determined in favour of Kynlos, which thus gained an increase to its revenue, as we are told, of forty shillings yearly.<sup>b</sup> This occurred, says Ferrerius, before the abbot Thomas Chrystal, had ceased to govern in Kynlos, in the year 1526. The same venerable father, he adds, was appointed visitor of his order throughout Scotland, and more than once used the authority of his office in restoring the fallen discipline of the monastery of Deir.<sup>c</sup>

MICHAEL PITTENDRIECH is said to have resigned his office of abbot of Deir about the year 1542.<sup>d</sup>

In the year 1543, ROBERT KEITH, brother of William fourth Earl Marischal, was presented to the abbey by the Queen Dowager.<sup>e</sup> He was not yet inaugurated in July 1544, when he is styled postulate abbot, in a deed by which the convent appointed certain procurators for the recovery of lands belonging to them, in the burgh of Aberdeen.<sup>f</sup> There seem at this time to have been in all fourteen brethren in the monastery, including the abbot, the prior, the sub-prior, and two economists. The prior's office was held by Dene Robert Stevensoun, the brother with whom Ferrerius corresponded, when he was sub-prior in the year 1537. The abbot Robert is

<sup>a</sup> A Short Account of the Abbey of Deir, MS. in the possession of the Club.

It is added that "his brother John obtained a charter of the lands of Over and Nether Pittendriach and Craigmudartie, in Banffshire, in the year 1507."

<sup>b</sup> J. Ferrerii Historia Abbatum a Kynlos, p. 69.

<sup>c</sup> J. Ferrerii Historia Abbatum a Kynlos, p. 79.

<sup>d</sup> A Short Account of the Abbey of Deir, MS. in the possession of the Club.

<sup>e</sup> Collections for a History of the Shires of Aberdeen and Banff, p. 187.

<sup>f</sup> See the deed printed below.

praised by Dempster for his zeal in reforming the prevalent immorality of the clergy; and so scandalous were the vices of churchmen in that age, that the praise may not have been undeserved, though it is scarcely doubtful that he himself left a son, the fruit of his amours, who was created Lord Dingwall in the year 1584. Robert Keith died at Paris; on the twelfth of June 1551; and was buried, before the altar of Saint Ninian of Galloway,<sup>a</sup> in the church of the Carmelites, near the Place Maubert, in the Quartiere de S. Jacques. On his tomb was inscribed: CY GIST VENERABLE PRELAT ROBERT KEITH ESCOSSOIS FREERE DU CONTE MARISCHAL ABBE DU MONASTERE DE DIER QUI TREPASSA · XII<sup>mo</sup> · JUIN MDLI.<sup>b</sup>

The abbot of Deir sat in the parliament which met at Edinburgh on the twenty-ninth of November 1558; and was chosen, on the part of the clergy, to be one of the Lords of the Articles.<sup>c</sup> His name does not appear. He was probably the last superior of the house; and to his time, perhaps, may be referred a short survey of its spiritual discipline and temporal estate, which is preserved in the library of Trinity College, at Cambridge.<sup>d</sup> I regret that I have been disappointed in the hope of procuring a copy of this paper for insertion in the present volume.

The Reformation placed the possessions of the abbey, with the title of its commendator, in the hands of ROBERT KEITH, the second son of William fourth Earl Marischal. Though sharing largely in the spoils of the ancient faith, he would appear to have been at first no friend to the teachers of the new doctrines. To a request preferred by him in the year 1569, with the countenance of the Regent Murray, that he might be relieved from certain payments due by him to the preachers at the abbey's churches, the General

<sup>a</sup> *Historia Ecclesiastica Gentis Scotorum*, t. ii., pp. 423, 424.

Dempster commemorates a Samuel, prior of Deir, whose marvellous skill in mathematics gained him the reputation of a wizard among the people; and who, dying in the year 1547, was buried in the chapel at Roslin. (*Historia Ecclesiastica Gentis Scotorum*, t. i., p. 233.)

<sup>b</sup> Spottiswoode's *Religious Houses in Scotland*, p. 423, in Keith's *Catalogue of Scottish Bishops*, edit. 1824.

<sup>c</sup> Robertson's *Parliamentary Records of Scotland*, pp. 729, 730.

<sup>d</sup> Among the Gale MSS. (O. vii., 42.) It is inaccurately described as "Charters relating to the monastery of Deyr in Scotland." (General Report of the Record Commissioners, appendix, p. 340, Lond. 1837.)



Assembly gave for answer, that "the kirk can in no wise remitt the thing that pertains to the poor ministers," especially to such a one as "my Lord of Deir, who debursed his money to the enemies of God, to prosecute his servants and banish them out of the realme." <sup>a</sup>

The commendator of Deir sat in the privy council on the twenty-second of July 1565 ; <sup>b</sup> and his name occurs in the deliberations of the general assembly of the kirk during the years 1573, 1578, 1581, 1582, and 1583. He appears in the year 1574 as having granted to his father a lease of the tithes of the abbey's churches of Deir, Inverugie St. Peter, Kynedar, and Foveran. <sup>c</sup> In the year 1587, when he was fifty-eight years old, he resigned the whole possessions of the monastery into the hands of the King, who immediately erected them into a temporal barony, called the Lordship of Altrie, to be held by the commendator during his life ; and on his death (which took place before the year 1593), to descend to his nephew, George Earl Marischal, and his heirs male, and assigns. Soon afterwards, the abbey was seized, on what pretence does not appear, by the Earl's brother, Robert Keith of Benholm. He kept possession, by the strong hand, for six weeks ; and when driven from it by the Earl, on the fifteenth of December 1590, withdrew to the castle of Fedderat, where, after a siege of three days, terms of truce were agreed to between the brethren. <sup>d</sup>

<sup>a</sup> The Booke of the Universall Kirk of Scotland, vol. i., pp. 153, 155. Bannatyne Club edit.

<sup>b</sup> Bishop Keith's History of the Affairs of Church and State in Scotland, p. 305.

<sup>c</sup> See the deed printed below. A facsimile of the signature of the commendator, "R. Keytht of Deir," appended to a deed of the year 1578, is given in The Miscellany of the Spalding Club, vol. ii., plate 1.

<sup>d</sup> Mr. James Man has preserved the following passages of "A Journal of Occurrences from the year 1587 to the year 1674," written by a gentleman of Buchan :

"October 1590. Mr. Robert Keith, brother to the Earl of Mareschal, possessed himself of the Abbey of Deer, wherein he remained six weeks ; and out of which, being dislodged, December 15, by Mareschal and Lord Altrie and their company, he fled to Fedderat, which they, attempting in vain three days after to take in, came to a truce with him.

"February 13, [1590-1]. He skirmished with my Lord Altrie's souldiers, slew one Macknab, and carried off all my lord's goods out of Mintlay."

(Memoirs of Scottish Affairs from 1624 to 1651, reprinted in Gordon's History of Scots Affairs, vol. i., p. [xxxiii.] note.) The Earl Marischal, on the twenty-sixth of September 1590, obtained letters from the King, "charging the haill inhabitantis and his Graceis

In the year 1549, the abbey's lands in the shire of Aberdeen, were valued at twenty-one pounds a year.<sup>a</sup> The whole revenues of the monastery, about the year 1565, were reported to be five hundred and seventy-two pounds, eight shillings, and sixpence; thirteen bolls and a half of wheat; fourteen chalders and ten bolls of bear; sixty three chalders, nine bolls, one firloft, and three pecks and a half of meal.<sup>b</sup>

The abbey was built on what is now a fruitful and pleasant bank of the Ugie; but in the thirteenth century, when the monks of St. Mary chose it for the site of their cloister, was probably a lonely waste of marsh and forest. Gordon of Straloch, who visited its ruins about two centuries ago, says that the monastery stood "in depressa valle, olim tota silvestri;"<sup>c</sup> and it is easy to recognise in the description, the characteristic features of the solitary places in which the founders of the Cistercian order loved to dwell.

liegis within the schirefdomes of Forfar, Kincardin, Aberdene, and Banff, to pas fordwart to Deir for recovery of the hows of Deir, presentlie takin and withhaldin be Mr. Robert Keytht and his complices." (Collections for a History of the Shires of Aberdeen and Banff, p. 190.)

<sup>a</sup> Collections for a History of the Shires of Aberdeen and Banff, p. 120.

<sup>b</sup> Books of Assumption, MSS. Adv. Bibl.; and Harleian MS., no. 4612, Brit. Mus.

According to another copy of this record, quoted by Bishop Keith, the rental of the Abbey stood thus: "money, 805*l.* 12*s.* 2*d.*; meal, 59 chalders, 11 bolls; meal, 63 chalders, 9 bolls 1 firloft."

In the "Taxatio omnium prelatorum regni Scotie ad . xiiij<sup>c</sup> . libras pro sustentatione Novi Collegii Justicie," imposed about the year 1546, the religious foundations of the diocese of Aberdeen are thus estimated:

"Episcopatus Aberdonensis . . . . .	xviiij libe.
Monasterium de Deir . . . . .	xiiij libe.
Prioratus de Fyve . . . . .	ij libe . xvj solidi.
Prioratus de Monymusk . . . . .	ij libe . xvj solidi."

(Books of Council and Session, vol. v., fol. xxxvj., MS. in the Register House, Edinb.)

The following fragment of a rental of the abbey, about the time of the Reformation, is found in an imperfect copy of the Books of Assumption, in the British Museum:

" ABBEY OF DEIR.

The landis of Faichhill, in the parochie of Allan, sett to James Forbes for fiftie bollis oatts, xxiiij bollis bear, iiij bollis wheat, xxiiij caponis, xxiiij pultrie, iiij wedderis, iiij schillingis for arriage and carriage, and iiij schillingis of augmentation.

Landis of Monkishill . . . . ."

<sup>c</sup> Collections for a History of the Shires of Aberdeen and Banff, p. 19.

The house, built of red sand stone, was of ample dimensions ; but, in so far as may be judged by the remains, its architecture was of that rude and simple kind,<sup>a</sup> which marked the early and better days of Citeaux. The annalist of stately Melrose might well disdain the humble edifice of Deir ;<sup>b</sup> but if Saint Robert of Molesme, or Saint Stephen Harding, could have risen from the grave to choose between them, it cannot be doubted to which monastery they would have turned, as most in accordance with the austere and self-denying spirit of their rule.

The story of a memorable vision which, according to popular belief, foretold that the ancient house of the Marischal of Scotland was to date its slow decay and assured overthrow from the day of its "sacraledgeous meddling with the Abisie of Deir," has of late been printed more than once.<sup>c</sup>

— ultricesque sedent in limine Dirae.

It was in allusion probably to this legend, or to some other of the reproaches of a like kind, which were rife in that age,<sup>d</sup> that on a tower which the Earls built on the abbey's lands, as well as on the college, which

<sup>a</sup> Cf. Collections for a History of the Shires of Aberdeen and Banff, p. 185 ; Statistical Account of Scotland, vol. xvi., p. 483 ; The New Statistical Account of Scotland, number xxv., pp. 148, 149.

"Anno Domini . M . CC . LXVIJ . Abbas de Dere, dominus Adam de Smalham, monachus de Melros, gratis dimisit officium suum, malens dulcedinem Melrosensium, quos preexpertus fuerat, quam preesse tugurio monachorum de Dere." (Chronica de Mailros, pp. 197, 198.)

<sup>c</sup> Collections for a History of the Shires of Aberdeen and Banff, pp. 191, 192 ; Patrick Gordon's Short Abridgement of Britane's Distemper, pp. 112, 114. Aberdeen, 1844, printed for the Spalding Club ; Sir Henry Spelman's History and Fate of Sacrilege, pp. 282—285. edit. 1846.

<sup>d</sup> The feeling alluded to in the text, was not confined to the adherents of the old religion. From his bed of sickness, amid the desolated shrines of St. Andrews, John Knox wrote to the General Assembly, which met at Stirling in the autumn of 1571, adjuring his brethren that, "with uprightness and strength in God, they withstand the merciless devourers of the patrimonie of the kirk." "Gif men will spoyll," he warned them, "let them doe it to their owne perrell and condemnatione ; but communicat ye not with their sins, of what estate that ever they be, neither be consent nor yet be silence ; but with publick protestatione make this knowne unto the world, that ye are innocent of sic robbrie, quhilk will, or it be lang, provock God's vengeance upon the committers thereof." (The Booke of the Universall Kirk of Scotland, pp. 128, 129.)

they endowed with a portion of the doomed spoil, they inscribed these words of unavailing defiance :

thay · haif · said : quhat · say · thay : lat · thame · say ·

Carta Willelmi Cumyn comitis de Buchan super terris de Barre in Strathilay .<sup>1</sup> (A.D. 1219—A.D. 1233.)

Omnibus hanc cartam uisuris uel audituris . Willelmus Cumyn comes de Buchan . Salutem in Domino sempiternam . Noueritis nos intuitu caritatis ad augmentum cultus diuini et religionis fomentum . pro salute anime nostre . Mariorie sponse nostre . heredum antecessorum successorum parentum et omnium amicorum nostrorum . dedisse . concessisse . et hac presenti carta nostra confirmasse . Deo Omnipotenti . Beatissime Uirgini Marie et omnibus sanctis Dei . religiosisque uiris abbati et monachis de Deir ibidem Deo seruientibus et inperpetuum seruituris . omnes et singulas terras nostras de Barre . cum pertinentiis . iacentes in barronia de Strathilay et infra vicecomitatum de Banf . Tenendas et habendas omnes et singulas terras de Barre cum pertinentiis . dictis abbati et monachis et suis successoribus in libera foresta . cum omnibus syluis nemoribus et singulis pro utilitate edificii et reparacione monasterii de Deir . prout jacent in longitudine et latitudine per omnes rectas metas suas antiquas et diuisas subscriptas . Incipiendo apud Legarff de Barre

The Earls Marischal appear to have grudged payment even of the niggard pittance of the revenues of the church, which the law secured to the reformed preachers. In the year 1587, the General Assembly complains that "the kirks of Deir are all frustrated of their stipends, and the ministers thair of not [payed] according to their provision made in my Lord Marshall's infeltment. (Id. p. 717. Bannatyne Club edit.)

<sup>1</sup> [From a copy in the possession of the Club, made from a notarial transsumpt of the original, in the year 1810, by the sheriff-clerk of Banff, who has appended the following note : "The lands of Barre were feued by the abbot of Deir, anno 1449, to Lord Saltoun ; and were, anno 1557, given by him to John Abernethie, his third son, of whom Mayen was descended. The Abernethies took entries from Lord Marischal until the year 1722, when the lands were sold by them to Duff of Crombie ; who, anno 1733, sold them to Pèter Gordon, esquire of Ardmellie ; and they are now the property of John Morison, esquire of Auchintoul."]

siout torrens descendit a maiore mora mosse inter Barre et Knoch . et sic procedendo ad Caetrin Stryp sicut conductus eiusdem procedit . usque ad Thailbog descendendo ad Corncairn in torrentem ad lapidem in dicto torrente . et sic procedendo usque ad finem de Staneycroft sicut descendit in vado rubro infimo dicti Staneycroft . et a vado rubro ascendendo ad Armurdicairn ad finem de Muirfurd . et abinde sursum ascendendo ad Stobstane super montem Urilbille usque ad decliuitatem dicti montis ad duos lapides . et abinde extendendo versus occidentalem partem montis sicut aqua vadit ad Legarff de Barre in torrentem de Knoch . in viis semitis planis boscis . moris . maresiis stagnis . pratis et pasturis . aucupationibus venationibus et piscariis . cum omnibus aliis et singulis libertatibus commoditatibus aisiamentis ac iustis suis . pertinentiis quibuscunque . tam nominatis quam non nominatis . ad dictas terras cum pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum . adeo libere . plenarie . integre . honorifice . bene et in pace . in omnibus et per omnia sicut aliqua terra seu elymosina infra regnum Scocie alicui monasterio in elemosina datur conceditur aut possidetur . in feodo et hereditate inperpetuum . sine quocunque seruicio seculari exactione seu demanda nobis uel heredibus nostris inde faciendis . Saluo seruicio domini Regis . Et nos uero predictus Willelmus comes Buchanie heredes nostri et successores totas et integras terras de Barre cum pertinenciis prefatis monasterio abbati monachis et eorundem successoribus ut premissum est contra omnes mortales warrantizabimus adquietabimus et inperpetuum defendemus . In cuius rei testimonium sigillum nostrum est appensum . Hijs testibus . Marjoria comitissa uxore nostra . Magno filio comitis Colben . Adam filio comitis Fergusii . et multis aliis . . .

Carta Willelmi Cumyn comitis de Buchan de terra de Fochyl super Ithan . <sup>1</sup> (A.D. 1219—A.D. 1233.)

Omnibus hanc cartam visuris vel audituris Willelmus Cumyn comes de Buchan . Salutem in Domino . Sciant presentes et futuri me . consilio assensu et consensu Marjorie uxoris mee filie quondam Fergus comitis de

<sup>1</sup> [From a copy in the possession of the Club, collated with a transcript in Macfarlane's Book of Charters (MSS. Bibl. Adv.), made in the year 1752, from the original, then in the hands of John Douglas of Fechil, esquire.

The following note accompanies the transcript: "Sigillum habet appensum cujus in

Buchan . dedisse concessisse et hac presenti carta mea confirmasse Deo . et Sancte Marie de Deir et monachis ibidem Deo servientibus et servituris . terram de Fochyl super Ithan . per subscriptas divisas . scilicet . incipiendo apud aquam de Ithan ex orientali parte de Cragetarsay . et sic ascendendo per siketum inter aridum de Logy et / . . . . / de Fochil usque ad fossam magnam de Polneterf . et inde extendendo versus austrum per le Byermos usque ad petram que Inyenaren vocatur . a qua ascendendo usque ad Lambyhill . et abinde extendendo versus occidentem ad acervum lapidum qui dicitur Le Gledcarn . et ab inde ad alium acervum lapidum qui vocatur Craucarn . et sic extendendo versus occidentem et aquilonem usque ad monticulum qui dicitur le Balghyl . et sic descendendo ex occidentali parte de Fochil usque in aquam de Ythan . Tenendam et habendam in liberam puram et perpetuam elemosinam . in bosco et plano . in moris et maresiis . in pratis et pascuis . in aquis et molendinis . et omnibus aliis aysiamentis ad dictam terram de Fochyl spectantibus . ita libere et quiete . plenarie et honorifice . sicut aliqua abbathya Cisterciensis ordinis in regno Scocie aliquam elemosinam liberius . quocius . plenarius et honorificentius . ab aliquo comite tenet vel possidet . Hiis testibus . Marjoria comitissa uxore mea . Magno filio Colbeyn comitis . Adam filio Fergus comitis . Willelmo filio Orm . Willelmo de Slanes . Roberto de Invirkeleder . et Nicholao capellanus nostris . Merlswanno filio comitis . Johanne filio Hutredi . et multis aliis .

Perambulation betwix Tybbertay and Fechil.<sup>1</sup> (A.D. 1499 et A.D. 1501.)

In Dei nomine . Amen . Per hoc presens publicum instrumentum cunctis pateat evidenter / quod anno incarnationis Dominice millesimo quingentesimo

antica parte inscriptio extat SIGILLVM WILLELMI CYMIN COMITIS DE BVCHAN; in postica, SIGILLVM SECRETVM WILLELMI CYMIN."

The seal of the same Earl attached to a charter (preserved in the Scotch College at Paris, until the end of the last century) granting a stone of wax yearly to the cathedral church of Glasgow, for lights at the mass to be said daily at the altar of the tomb of Saint Kentigern, is thus described by Mr. Thomas Innes: "Huic carte appensum est sigillum ex cera alba multum attritum; exhibens ex una parte comitem ipsum equestrem, tenentem sinistra scutum cui impressa est garba; ex adversa vero parte, super scuto rotundo, item garbam exhibet." (Registrum Episcopatus Glasguensis, vol. i., p. cxiv., note c; p. 101.) Cf. Mr. Riddell's Inquiry into the Law of Scottish Peerages, vol. ii., pp. 1049, 1050.]

<sup>1</sup> [From a copy in the possession of the Club, collated with another in Macfarlane's

primo / mensis vero Julii die decimo septimo / Indictione quarta [etc.] .  
 In mei notarii publici et testium subscriptorum presentia personaliter con-  
 stitutus nobilis vir Johannes Ogilwe de Fyngask miles / de mandato et  
 compulsione litterarum Supremi Domini nostri Regis . per Andream  
 Torry in hac parte vicecomitem executarum . de quibus litteris michi  
 notario subscript olucide constabat . copiam cujusdam decreti arbitralis .  
 inter venerabilem in Christo patrem Jacobum permissione divina abbatem mo-  
 nasterii de Dere et hujusmodi loci conventum ex una / et Johannem Turing  
 de Fowerne et Willelmum Turing ejus filium et apparentem heredem  
 partibus ab altera . lati . manu ipsius Johannis scripti et subscripti ac  
 subscriptione nobilis et potentis domini Willelmi Comitis de Erroll sub-  
 scripti / ut asseruit . prefatis abbati et conventui in autentica forma dandam  
 et deliberandam decrevit / et hujusmodi principale decretum copiandum et  
 in publicam et autenticam formam redigendum michi notario publico sub-  
 scripto tradidit et deliberavit . Cujus decreti tenor de verbo ad verbum  
 sequitur in vulgari et est talis . . WE William erll of Erroll and Johne  
 of Ogilwe of Fyngask knycht / ovirmen ewynlie chosin and sworn betwix  
 the Abbot and convent of Dere on the ta part / and Johne of Turing of  
 Fowerne and William of Turing his sone and apperand air on the tothir  
 part tueching the merchis and divisis betwix Mekle Tebertaw and Fochille /  
 avisit with the Abbatis chartour and depositionis of the witnessis producit  
 be baith the parteis and with the deliverance of the twelff personis chosin  
 be the saidis parteis / that is to say / for the Abbot / Walter Ogilwe  
 of the Boyne / the lardis of Meldrome / Towye / and Bochquholye /  
 Patrick Gordone / and Alexander Bannerman / and for the lard of Fochwern  
 and his sonne / Gilbert the Hay of Dalgate / Johnne Cheyne of Essilmont /  
 William Hay of Urye / the persone of Bankquhorye / the lard of Collistone /  
 and Alexander Reid . decretis and deliveris and for sentence gevis for  
 oucht that we have yeit seyne that the gret gray stane on the west syd  
 the syk above the Cragfurd / and fra it ascendand be stracht line as we  
 sall set propis to the gret Lammyrhillock that the Abbot raid fyrst to / and  
 to wthir twa Lammyrhillockis quhylk are affirmyt be all the twelf personis  
 and the depositionis / and west fra thame to the carne quhar we satt the  
 quhilk is callit be part of the witness the Gledcarne / and fra it to the

Book of Charters (MSS. Bibl. Adv.,) made, in the year 1752, from the original, then in  
 the hands of John Douglas of Fechil, esquire.]

Crawcarne as we sal gar set the stonis on the heid of the hillakis / and the Gledcarne and the propis betwix thame the quhilk sal be corsit with mell and chesaile and the north syd to be brukyt be Fochil and the south syd to Tebertaw . And this our deliverance we refer be ws. to be correkyt within ane yeir / or ony of ws gif it happenis the tane to deceiss within the said yeir / gif we can get ony uthir verificatioun na we now have . Gevin writtin and rede the sevin day of September the yere of God [four hundreht] nynty and nyne yeris / at the carne callyt the Gledcarne and subscrivit with our handis . Williame erle of Errol . Johane Ogilwe of Fyngask . . . Post cujus decreti deliberationem dompnus Willelmus Wod ejusdem loci monachus / nomine et ex parte dictorum abbatis et conventus / sibi fieri petiit instrumentum publicum seu instrumenta publica . Acta fuerunt hec in publica platea opidi de Edinburgh hora quasi tertia post meridiem sub anno mense die [etc.] suprascriptis . Presentibus ibidem honorabilibus viris / videlicet / Malcolmo Ogilwy . Archibaldo Ogilwe . magistro Georgio Striveling de Brekkye et Johanne Stewart cum diversis aliis testibus ad premissa vocatis pariter et rogatis .

Et ego Walterus Falconer presbyter Brechinensis diocesis publicus sacra apostolica et regia auctoritatibus notarius . Quia [etc.]

Procuratorie for the Abbot of Deir and conuent of the samyn . <sup>1</sup> (A.D. 1544.)

Curia balliuorum burgi de Aberdene tenta in pretorio ejusdem die decima octaua mensis Julij . j<sup>m</sup> . v<sup>c</sup> . xliij .

In the presens of the provest and ballies forsaidis sitand in jugement comperit Dene Robert Stevensoun for himself and in name and behalf of the Abbot of Deir and convent of the samyn / and gaue in this procuratorie vnderwrittin subscriuit with thair handis and vnder thair commoun seilis and desiryt the samin to be registrat in the Bukis of the Actis . The quhilk desyre the saidis provest and baillies thocht resinable and hes ordanit the samyn to be registrat in the saidis bukis . of the quhilk the tennour followis . . Be it kend till all men be thir present letteris ws Robert postulat abbot / priour / and convent of the abbay of Deir chep-

<sup>1</sup> [From the Libri Actorum Curie Ballivorum Burgi de Aberdeen, MSS. in archivis ejusdem asservati.]



turlie gadderit and riplie avisit witht consent of our yconimouse Maister George Myddiltoun and Maister Androw Kyd to haif maid [*etc.*] our welbeloutis Dene Robert Stevinsoun priour of Deir / Alexander Menzeis / Maister Robert Lummisden / our lawful procuratouris [*etc.*] to comper befor the prouest and baillies of Aberdene and thair to persew our just richt titill and possessionis of certain landis pertening to our said abbay within the said burgh / and specialie of ane land beside the Trinite Freris merchand and boundand with Sanct Katerinis Hill and vthir landis as our auld charter eidentis and possessionis at mair lenth speci-feis / and of ane vther land liand in the Gallowgait of Abirdene vmquhill inhabit with the heredis of Robert Ewert and Johnne Andersoun burges of the said burgh [*etc.*] . Gifn vnder our hand writtis and commoun sele at Deir the       day of Julij anno [j<sup>m</sup> . v<sup>c</sup> . ] xliiij . *Here follows the subscriptions* . Robertus postulatus abbas . Robertus Stevinsoun priour . Frater Thomas Kerr supprior . Johannes Anderson . Alexander Scherer . Johannes Cullane . Wilhelmus Bell . Frater Duncanus . Frater Willelmus Pendrecht . Gilbertus Innes . Gilbertus Chissem \* . Joannes Masoun . Magister Georgius Myddiltoun jconimus . Magister Andreas Kyd jconimus .

Decreit for the teyndscheavis of Deir Petirvgy and Fouerne .<sup>1</sup> (A.D. 1574.)

Curia vicecomitatus de Abirdeu tenta in pretorio eiusdem penultimo die mensis Novembris anno Domini millesimo quingentesimo septuagesimo quarto per honorabilem virum Magistrum Gilbertum Bissat vicecomitem deputatum de Abirdeine pro tribunali sedentem / quo die sectis vocatis et curia legitime affirmata fuit

The said day in the actione and caus movit and persevit be ane nobill and potent lord Willfame Erle Merschell Lord Keytht *etc.* fermorar of the teyndschaves of the parochines of Deir Petirugy and Phillortht [*leg.*

\* [Perhaps the same Gilbert Chishome, who, after the Reformation, became minister at Deir, with a stipend of "lxxx. pundis to be paid out of the thrid of the Abbey of Deir." He survived the year 1575. (Mr. Macdonald's Register of Ministers, p. 97.)

The Register of Deaths in the parish of St. Nicholas of Aberdeen, records that "Gilbert Murray sumtyme ane mnyk of Deir departitt the . x . day of Julij the yeir of God 1579 yeris."

<sup>1</sup> [From the Libri Actorum Curie Vicecomitatus de Aberdeen, MSS.]

Kynedar] all liand within the schirefdome of Abirdene be titill maid to him thairof be ane nobill and mychtie lord Robert Commendatour of Deir and conuent of the same / for the wrangous postponeing and deferring to deliuer to him his factouris and seruitouris in his name of the wictuallis and teyndsiluer eftir folloving of the crope in the yeir of God *etc.* threscoir xiiij yeiris or thane the hiest prices of that ilk yeir and crope as salbe heireftir particularie specefeit . That is to say Williame Pendreiche in Carnvoquheis restis awand four bollis meill of the teyndschaves of the said toun of the crope forsaid / Williame Laurance eldar five firlottis tua pekis meill of the teyndschaves of Touchis Williame Laurence younger thair four bollis ane firlot ane pek third pert pek meill Williame Stacarte thair tua firlottis ane pek meill Johnn Lourence thair ten firlottis tua pekis the tua pairt pek meill all of the teyndshaves of the said toun and of the crope forsaid . Robert Body in Petfour sevin firlottis tua pekis thrid pairt pek meill . Thomas Adamesoune thair thrie firlottis tua pekis the sext pairt of ane pek meill of the teyndscheaves of the said toun of Petfour . Johnne Pantoun in Petfour three firlottis ane pek the thrid pairt of ane pek meill of the teyndschaves of Lyget . Androw Knox of That Ilk five bollis tua firlottis tua pekis of the teyndschaves of Knoikailhous . Androw Pendrech in Auldknok three bollis meill . Johnne Myln thair sewin firlottis tua pekis meill of the teyndschaves of Auldknock / Margret Innes lady Delgaty tua bollis ane firlot meill of the teyndschaves of Parkyeocht with the pendiclis . James Ogstoune sex firlottis meill of the teyndschaves of Mylnbrek . Johnne Kid in Meikill Creichie five firlottis the thrid of ane pek Androw Myln thair thre firlottis the thrid of ane boll of the teyndschaves of Bruntbra / Johnne Goddisman in Clochtcan tua bollis meill Williame Cassie thair three pekis meill of the teyndschaves of the said toun of Clochtcan / Williame Craufurd of Annaquhie vij firlottis ij pekis meill of the teyndschaves of the toun / Williame Buchan sex pekis half ane pek meill of the teyndschaves of the Miln of Auchnagat and Toukishill / Alexander Buchane of Auchmacoy fourteen bollis meill of the teyndschaves of Oikhorn / Williame Strauthachin of Glenkyndy ten bollis meill of the teyndschaves of Auchnagat with the pendiculis . Rob Schand and his sone Williame Schand four bollis meill of the teyndschaves of Auchmaledy Williame Crystie four bollis meill of the teyndschaves of the said toun Thomas Torie thair tua bollis meill Johnne Gray thair tua bollis meill / Thomas

Gordoun five bollis meill of the teyndschaves of Quhyitbog / Alexander Wrquhart sevin firloittis tua pekis meill of the teyndschaves of Allathin Johnn Riddell thair iij pekis meill Williame Stut thair tua pekis meill of the teyndschaves of the said toune . Androw Chrystie vj firloittis tua pekis tua pairt peck meill of the teyndschaves of Corsgycht Williame Findlater thair vj firloittis tua pekis tua part peck meill Andro Goak elder thair vij firloittis tua pekis meill Johnn Andersoun thair ane boll iij pekis meill Androw Myirden thair ane boll iij pekis meill / Andro Goak five firloittis meill George Crystie thair iij firloittis ane pek thrid of a pek meill Johnne Hendersoun thre pekis thrid of a pek meill of the teyndschaves of the said toune of Corsgycht / Merione Maitland and Williame Lyndsay hir spous for his interes nyn bollis meill of the teyndschaves of Bomakelly / Williame Johnnestoune and Williame Fynny five bollis meill of the teyndschaves off Broyneshill / Thome Smytht three bollis ane firloittis thre pekis third pairt of ane peck meill of the teyndschaves of Irnesyid Alexander Craik thair iij firloittis meill Johnne Hendersoun thair vj firloittis ane pek third pairt pek meill Andro Craik thair vj firloittis ij pairt pek meill Johnne Grant thair ij firloittis ij pairt pek meill . Johnne Hendirsoun tua pekis meill of the teyndschaves of Culshe Thome Simpsoun thair sevin firloittis meill James Fynny thair ij bollis ane firloittis meill Williame Fergusoun thair sevin firloittis meill Alexander Craufurd thair iiij bollis ane firloittis meill / Andro Forster iij firloittis meill of the teyndschaves of Pundlarcroft / Robert Sheyn vij firloittis meill of the teyndschaves of Meikill Auchyocht Andro Craufurd thair ij pekis meill . Ambroiss Craik ane boll meill of the teyndschaves of Gersohill Williame Scot thair sex firloittis meill Williame Craufurd thair sex firloittis meill . George Logy tua bollis j firloittis tua pekis meill of the teyndschaves of Aquaicht Johnn Cowy thair ten firloittis meill Johnn Smitht ten firloittis meill . Alexander Crystie three firloittis thrid of ane pek meill of the teyndschaves of Quhyithill Thomas Gerart j boll meill Cowy the relict of vrmquhill George Will thair ten firloittis meill . James Prat four bollis meill of the teyndschaves of Auldquhat Mr Androw Movat thair iiij bollis meill of the teyndschaves of the said toune of Aildquhat . Johnne Gordoun sex firloittis meill of the teyndschaves of Auchmachir . Gilbert Kid ij pekis meill of the teyndschaves of Cairngall Johnne Elrik vj firloittis meill Margret . . . . . thair iij firloittis ij pekis meill Androw Elrik vj firloittis meil

Johnne Cruikshank five pekis meill . Williame Keytht of Balmure nyn bollis j firLOT ij pekis meill of the teyndschaves of Ludquharne / Androw Keytht of Rauinscrag three bollis ij firLOTTIS meill of the teyndschaves of Tortestoune . Maister Archibald Keytht viij bollis meill of the teyndschaves of Balmure / Thomas Robertsoun ij firLOTTIS ij pekis ij pairt pekis meill of the teyndschaves of Coklo Andro Robertsoun thair ij bollis j pek third pairt pek meill James Russall thair ij bollis j pek third pairt pek meill Williame Frasser elder thair ij bollis j pek the tua pairt pek meill Andro Daudsoun thair four bollis ij pekis tua pairt pek meill Williame Frasser younger thair ij bollis j pek third part pek meill Michaell Wat thair ij bollis ane pek third pairt pek meill / Williame Wantones ten firLOTTIS tua pekis the tua pairt pek meill of the teyndschaves of Myresyd Katherein Idill thair ij firLOTTIS tua pairt pek meill Gilbert Body thair tua firLOTTIS ij pekis ij pairt pek meill Patrie Goyd thair ij firLOTTIS tua pekis tua pairt pek meill Gavin Crohcat thair five bollis j firLOT j pek third pairt pek meill / George Pyper four bollis meill of the teyndschaves of Faythlie all of the crope etc. thre scoir xij yeiris . Compeiring the said nobill Lord be Maister Robert Lumiaden his procuratour and the saids defenderis oft tymes callit and nocht compeirand lauchtfull tyme of day biddine na exceptioun nor obiectioun maid in the contrar Quhairfoir the said libellit precept wes admittit to the said Lordis probatioun and his procuratour forsaid producit instantlie in jugement the said Lordis assedatioun of the teyndschaves of the paroches of Deir Pettirvgy and Phillortht [*leg.* Kynedar] wndir the comound seill of Deir and subscriptionis of the commendatour and conuent thairoff Togidder with the rentall of the yeirlie payment of the samen in attentik forme Togidder with the feir of the yeir of God j<sup>m</sup> v<sup>e</sup> seventie three yeiris quhilk is the sowme of the boll of meill without pekis xlvj shillingis viij penneis wndir the subscriptione of William Ogstoune notar scryb sustitut of the commissariat of Abirdeine and protestit for condampnatour And the schirreff deput forsaid being ryiplie and at leyntht aduysit with the writtis and feir of yeir aboune vrittine DECEARNIT and ordinit the saidis personis and ilkane of thame respectiue for thair avin pairtis to refund content and pay to the said nobill Lord his factouris or seruitouris in his name the wictuellis aboune writtin or thane the sowme of xlvj schillingis viij penneis for ilk boll thair of according to the feir of the

yeir j<sup>m</sup> v<sup>e</sup> threascoir xiiij yeiris as is aboune mentionat for the titill reasonis and caussis forsaidis And ordinis preceptis of poynding to be derect heirone in forme of law as effeiris Vpoun the quhilkis the said Maister Robert procuratour forsaid askit act of court and instrument.

The said day in the actioun and caus movit and persevit be ane nobill and potent lord William Erle Merschell Lord Keytht *etc.* fermorar of the teyndschaves of the parrochine of Fouerne liand within the schirefdome of Abirdene and pertening to him be reassoun of tak and asse-datioun maid to him be Robert Commendatour of Deir and conuent thairoff lik as the same hes pertenit to him be wertew thair of be the space of sevin yeiris last bipast aganis the personis vndirvritine of the cropes and yeiris of God vnder specefeit That is to say Williame Turing of Ardocht of the crope *etc.* sevintie ane yeiris xiiij bollis victuall for the teyndschaves of the said toun of the crope *etc.* sevintie tua yeiris ane firLOT iij pekis meill and of the crope *etc.* sevintie three yeiris xiiij bollis meill of the teyndschaves of the said toun and the tua pairt of ane custum scheip and four pultrie foullis for the custum of the teynd schaves of the tua pairt of Aikeinshill of the crope *etc.* saxtie sevin yeiris Arthur Turing in Sauchok of the rest of his teyndschaves of the crope *etc.* seventie tua yeiris tua bollis ane firLOT tua pekis third pairt pek meill and of the crope *etc.* sevintie three yeiris four bollis thre firLOTTIS ane pek third pairt peck of his teyndschaves of Sauchok Williame Turing his sone thair of the rest of his teyndis preceidand the crope *etc.* sevintie tua yeiris ij shillingis iiij penneis and of the crope *etc.* seventie tua yeiris ane firLOT tua pekis tua pairt pek meill and of the crope *etc.* sevintie three yeiris ane boll three firLOTTIS tua pekis tua pairt pek meill for his teyndschaves of the said toun Pait Ramsay in Petmillan of the rest of his teyndschaves of the crope *etc.* seventie ane yeiris v shillingis v penneis and of the crope *etc.* seventie tua yeiris three firLOTTIS meill Kathereing Hay in Drumis restis of the crope *etc.* sevintie tua yeiris ane firLOT ij pekis tua pairt pek meill and of the crope *etc.* sevintie three yeiris ane boll three pekis tua pairt pek meill William Moir in Auchtloun of the rest of his teyndschaves preceidand the crope sevintie ane yeiris xv shillingis viij pennies and of the crope *etc.* sevintie ane yeiris three bollis sex pekis and three bollis sex pekis of the crope *etc.* sevintie tua yeiris Alexander Duncan of the rest of his teyndschaves

of the crope *etc.* sevinty ane yeiris xvij shillingis iiij penneis and of the crope *etc.* sevintie tua yeiris ane boll three pekis and of the crope *etc.* sevintie three yeiris four bollis ij firloittis Johnne Richie thair of the crope *etc.* sevintie three yeiris four bollis tua firloittis meill Andro Duncan thair of the crope *etc.* sevintie three yeiris tua bollis j firlot Gilbert Vdny of the crope *etc.* sevintie three yeiris tua bollis j firlot Williame Myll younger of the crope *etc.* sevintie tua yeiris ane boll ij firloittis for his teyndschaves and of the crope *etc.* sevintie three yeiris ane boll ij firloittis Williame Sangister thair of the crope sevintie tua yeiris ane pek meill and of the crope *etc.* sevintie three yeiris ane boll ij firloittis for his teyndschaves Williame Walcar thair ane boll of meill for his teyndschaves of the crope *etc.* sevintie three yeiris The relict of vmquhill Williame Couan in Culliaucht ane firlot meill of the crope *etc.* sevintie three yeiris . Patrik Leisk in Littill Haddocht aucht bollis meill for his teynd schaves of the crope *etc.* sevintie three yeiris Williame Hardy elder in Mechill Haddocht five bollis tua firloittis ij pekis tua pairt pek of the rest of his teynd schaves of the crope *etc.* sevintie three yeiris Williame Hardy his sonne thair thre bollis ane firlot ane pek third pairt pek meill for his teynd schaves of the said toun and ane wedder sex foulis betuix thame for thair customis of the said teyndschaves of the crope forsaid *etc.* Compeiring the said Lord [*etc. ut supra, p. 434.*] The schirreff deput forsaid decernit and ordinit the saidis personis and ilk ane of thame respective for thair awin pairtis to refound content pay and deliuer to the said Williame Erle Merschell his factouris and seruitouris in his name the soume of xxv shillingis vsuall mone of Scotland for the price of ilk boll meill without pekis of the crope of the yeir of God j<sup>m</sup> v<sup>c</sup> threscoir eleivin yeiris and als the sovme of xxx shillingis for the price of ilk boll meill without pekis of the crope and yeir of God j<sup>m</sup> v<sup>c</sup> sevintie tua yeiris and sicklyk the sowme of xlvj shillingis viij penneis for the price of ilk boll meill without pekis of the crope and yeir of God j<sup>m</sup> v<sup>c</sup> sevintie three yeiris conforme to the feiris of that ilk yeiris [*etc. ut supra, pp. 434, 435.*]

Lettres of procuratorie and resignacioun of the Abbacie of Deir.<sup>1</sup> (A.D. 1587.)

Unto the richt excellent richt heich and michtie prince oure Souerane Lord King James the Sext be the grace of God King of Scottis Yourre Heines humble and obedient subjectis Robert commendatour of the Abbay of Deir and convent thair of Greiting Forasmeikle as we vnderstanding that the monastical superstitioun for the quhilk the said Abbay of Deir was of auld erectit and foundit is now be the lawis of this realme alluterlie abolisheit sua that na memorie thair of sall be heirafter And considdering that the maist pairt of the landis and rentis doittit to the said Abbay proceedit of auld from the dispositioun of the progenitor and predecessour of the richt nobill and potent lord George erle Merschell lord Keith *etc.* and that the propertie of the maist pairt thair of is alreddie set in few ferme to the said Erle and his predecessouris lauchfullie confirmit be yourre Maiestie and your Heines vmquhile darrest mother and that the remanent of the saidis landis is alsua sett in few ferme to vtheris the auld possessouris thair of Thairfor and for diverss vtheris ressonable caussis and consideratiounis moving us all with ane avise consent and assent and mature deliberatioun had tharapoun to haif maid constitut and ordanit and be the tenour heirof makis constitutis and ordanis honorabile men and our weil belouittis Maister James Wardlaw aduocat and ilk an of thame conjunctlie and severallie oure verie lauchful vndouttit and irreuocabille procuratouris [*etc.*] for us and in oure name and upon oure behalff with all dew humilitie and reverence as becomis to resigne renunce simpliciter discharge ourgive and demitt frae ws and our successouris all and sundrie the landis lordschippis baroneis mylnis flascheingis wodis parkis forrestis mansiounis maner places teindschiuis vtheris kindis fruitis fermes annuelrentis martis kaynis customes dewteis particularlie underwrittin tenentis tenendreis and service of frie tennentis orchardis yardis and all vtheris profitis richtis and emolumentis pertening or that richteouslie has perteinit to the said Abbay and patrimonie thair of and quhair of the abbotis and convent of the samen has bein in possessioun in ony time bypast In your Maiesties handis to the effect vnder specifcit

<sup>1</sup> [From a copy in the possession of the Club.]

and for errectioun of the same in ane temporall lordschip as followis That is to say The Maner Place of Deir of auld callit The Abbey of Deir with all the houssis biggingis orchardis yairdis and vthir pertinentis thairof within the clausoure and precinct of the Place with the mainis callit Cvthill The landis of Clerkhill The landis of Quartailhouse and walk mylne thairof The mylne of Crichtie and multures of the same The landis of Dennis The landis of Meikle Auchrydie The landis of Auchmwnyel The landis of Carnebannoch mylne thairof and multures of the same The landis of Lital' Auchrydie The landis of Craigmylne The landis of Glauckriauch The landis of Littill Elrik The landis of Aulmad The landis of Badforsky The landis of Auchleck The landis of Acherb The landis of Cryalie The landis of Skillymarno The landis of Auchmacher The landis of Altrie The landis of Biffie Raw of Biffie and Parkhouse of Biffie The landis of Brucehill The mylne of Bruxie and multure of the same The landis of Scroghill The landis of kirktoon of Deir The landis of Benvells The landis of Meikle Elrik The landis of Fechill The landis of Monkishill The landis of the Grange of Raehill The fischertown of Peterheid with portis ancoragis and fischeingis thairof The landis of Carkinsche The landis of Monkisholme The landis of Overalterlandis of Fouerne The landis of Nethir Alterlandis of Fouerne Ane annuelrent of three pund vj schillingis viij penneis to be upliftit furth of Tillioch Ane annuelrent of xxxij shillingis iiij penneis to be upliftit furth of Toukis Ane annuel rent of fourtie shillingis to be upliftit furth of Sauchock of Kimmundie The tenementis of landis and housis vnderwrittin layand withtin the burght of Aberdene they ar to say

All and hail the salmond fischeing of Inuervgie in salt and fresche watter The Abbay mylne of Deir within the wallis of the said Abbay The kirktoon of Deir all lyand in the schirefdome of Aberdene The landis of Barre layand in the schirefdome of Banff with the tennentis tenendreis fewes of frie fermes seruice of frie tennentis richtis and privilegis thairof qubatsumeuer with hail teind schaives and vtheris teindis proffittis and emolumentis off all and sundrie the kirkis and parochinis of Deir Petervgie Fouerne and Kenedward and haill landis situate within the said parochinis all layand within the diocie of Aberdene vnit and annexit of auld to the said Abbay and being ane pairt of the patrimonie thairof with all richtis privilegis and pertinentis qubatsumeuer



perteining or that richteouslie mycht haif perteinit thairto In favour of me the said Robert commendator and of the said George erle Merschell ffor erectioun of the same landis lordschippis baroneis and vtheris teindis of the saidis kirkis and parochinis with mylnis multures fischeingis mansiounis mainis housis places yairdis biggingis alsweill being within the precinct and wallis of the said Abbay as ellisquhair within this realme with all maillis fermes annuel rentis tenentis tennendreis and seruice of frie tennentis few fermes emolumentis and comoditeis quhatsumeuer foresaid In ane temporall lordschip to be callit in all tyme cuming The Lordschip of Altrie for enfeftment to be gevin of the samen be your Heines charter and enfeftment vnder the greit seill to me the said Robert commendator foresaid in lyfe rent for all the dayes of my lyfetye and to the said George erle Merschell his airis maill and assignais heritable in dew forme and na vthirwayis Provyding alwayis that in cais the said enfeftment tak not full effect that this present resignatioun and demissioun salbe of nane awaill force nor effect [*etc.*] . In witness of the quhilk thing to thir lettres of procuratorie resignatioun and demissioun subscrivit with our handis the commoun seill of our said Abbay is hanging at Edinburgh the sewint day of Julij the yeir of God . j<sup>m</sup> . v<sup>c</sup> . fourescoir sevin yeris . Befor thir witnessis William Knox George Knox James Hog Androw Duffous servitouris to the said Commendator and James Jamesone notar publict

Robert Keytht of Deir  
David Howesone  
James Brown

Contract between the Erl Marschall and the Kings Maiestie.<sup>1</sup> (A.D. 1638.)

Registrat contract between the Erl Marshall and the King's Maiestie, that whereas his Maiestie by his bond dated at Whythall the eighth of February the third year of his Highness' reign, did promitt to pay to the said Erl fifteen thousand pounds sterling upon the account of the charge-

<sup>1</sup> [Abridged from a copy in the British Museum, Harleian MSS., no. 4628.

The contract was ratified by the King in parliament, on the seventeenth of November 1641. (Acts of the Parliaments of Scotland, vol. v., pp. 614-616.)]

able expedition the Erl his father underwent in Denmark ; and whereas the said Erl had submitted to his Royal determination certain tythes and superiorities with the few dewties of the same for an loyal example to others ; therefore his Maiestie promits to grant to the said Erl his heirs mail and assigneys quhatsoever ane charter in which his Maiestie shall dispone heritably and irredeamably to him and them all and sundry lands mylnes woods and forests pertaining of old to the lordship and abbacy of Deir, and whereof the said Erl is now in possession, to be holden of our Sovereign Lord and his successors for the yearly payment of the feu maills after specifeit which are the few ferme dueties contained in the old infeofment set to the Erls predecessors be the Abbots of Deir long before the date of the erection of the Lordship of Deir, *videlicet* : For the lands of Clerkhill, thirty shillings, six capons ; For Quartailhouse, three pounds six shillings, eight pence, six capons, six pultrie, two wedders, two bolls of oats ; For the Waulk Mylne, three pounds six shillings eight pence, six capons, twelve pultrie ; For the mylne of Creichie, six pounds thirteen shillings and four pence, two wedders, eighteen capons ; For Denna, three pounds six shillings and eight pence, six pultrie, two wedders, two bolls of oats ; For Meikle Auchrydie, six pounds thirteen shillings and four pence, two wedders, two dozen capons, four bolls of oats ; For Auchmunyiel, four pounds, one wedder, one dozen capons ; For Carnbanno, four pounds, one wedder, one dozen capons ; For Little Auchrydie, six pounds thirteen shillings and four pence, two wedders, one dozen capons, eight pultrie, four bolls of oats ; For Craigmilne, fifty-three shillings four pence ; For Baudforskie, three pounds six shillings and eight pence, two wedders, one dozen capons, two bolls of oats ; For Auchinleck, six pounds thirteen shillings and four pence, two dozen capons ; For Aucherb, four pounds, one wedder, one dozen capons ; For Cryallie, fifty-three shillings four pence, one wedder, six capons, two bolls of oats ; For Skelmorno, four pounds ; For Auchmachar, ten merks, two wedders, one dozen capons ; For Altrie, sixteen pounds, four wedders, forty capons, eight bolls of oats ; For Aulmad, four pounds four shillings, one wedder, six capons ; For Biffie, sixteen pounds, six wedders, forty capons, twelve bolls of oats ; For Brucehill, five merks, one wedder, six capons ; For the milne of Bruxie, forty bolls victuall, two merks, one dozen capons, two wedders, one swyne ; For Scroghill, thirty-three shillings and four pence, one

dozen capons, two wedders ; For Kirktown of Deir, four pounds, sixty pultry ; For Benvels, four pounds thirteen shillings and four pence, one dozen capons ; For Meikle Elrick, ten pounds thirteen shillings and four pence, one dozen capons, one dozen pultry, three muttons ; and sicklyke yearly for arriage, carriage, and bondage of the lands abovewrittin ; and for augmentation of the rental thereof ten pounds Scots allenary, and doubling the first year of the entry and giving three suites at the three head courts of the Lordship yearly ; And also for the half the lands of Grange of Raehill, four chalders bear, four dozen capons, four wedders ; For Fishertown, with the seaport, anchorage, Calkensh, and other dewties, belonging to the said port, forty-two pounds Scots, twenty-one chickens, and ten shillings in augmentation of the rental, and doubling the first year of the entry, and giving three suites at the three head courts yearly ; with the days work of twentie horses for three days, and for six days of six horses upon the expence of the successors of the Abbots of Deir ; And also, the Manor Place of Deir, of old called The Monastery of Deir, with all houses, orchards, *etc.* within the cloyster and precincts of the said Place ; as also the lands of Mains of Deir, called Cuthell, with houses, and the lands of Munkisholme, Over Altar lands and Nether Altar lands of Foverane, and annuelrent of three pounds six shillings and eightpence furth of Tilliochie, and the annualrent of thirty-three shillings and four pence furth of Touk, and forty shillings furth of Saok of Kinmundie ; and also the salmon fishing upon the water of Ugie als weil in salt as in fresh water ; the milne of the Monastery of Deir, milne lands ; and all and hail the lands of Blackhouse, and eight rigs of the lands of Grange of Raehill, excepted furth of the old feu infeftments, for payment of an hundred marks Scots money, in name of feu ferme, and doubling of the first year of the entry, *etc.* ; And also the paroch kirks of Deir, Peterugie, Foverane, and Kynedwart, advocations, donations, *etc.*, with the haill teyndis personage vicarage *etc.*, reserving to the ministers their modified stipends conform to the act of parliament, to be holden of our said Souerane Lord for yearly payment of one hundred and forty pounds Scots money quhilk is the blench duty contained in the old infeftment of erection, and payment of the ministers stipends as said is ; And also of the superiorities of the lands underwrittin, *videlicet*, of the lands of Claukriach, Little Elrich, Fechell, and Munkishill, and Fishertown of

Peterhead, with houses biggings and hail casualties pertaining to the said superiorities, to be holden of his Maiestie for payment of one penny sterling *si petatur*, under reversion of redemption thair of when his Maiestie shall pay three thousand pounds sterling with seven thousand nyne hundred merks to the said Erl in ane soume within Sanct Geills church. Super and subscryved at Whythall in England and Innerugie the fourteen and twenty-eight days of November 1638. Registrat the same day.

### THE PARISH OF NEW DEIR, OR AUCHREDIE.<sup>1</sup>

Ane account of the yearly rent of the lands of Feddrate payable in meile monie and customs.<sup>2</sup> (*circa* A.D. 1690.)



HE Mains of Feddrate pays by severall persons, sixteen bolls of meile; two hundred and four pounds money; one and a half stons of butter; six cappons; and eighteen henns.

The Loanhead of Feddrate pays by two tennants, twenty bolls of meile; eighty-eight pounds money; one ston of butter; two weders; two lambs; twelve cappons; twelve henns; one leet of peits.

The Milne of Feddrate pays by one tennant, sixty-four bolls of meale; twenty-nine pounds of money; and one swine.

The Broomhill of Feddrate pays by one tennant, eighty-eight pounds money; one ston of butter; two wedders; two lambs; twelve cappons; twelve henns; one leet of peits.

The toun of Littell Bonnekelle pays by one tennant, sixty-six pounds

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 405-409.]

<sup>2</sup> [From the original in the charter chest of Patrick Chalmers of Auldbar esquire, at Auldbar.

Between the years 1203 and 1214, Fergus earl of Buchan gave to John the son of Uthred, in exchange for the lands of Slaines and Crudan, the three davachs of Fedreth, namely Estir Aubioch, Aubetherb, Aubethas, and Conwiltes, together with the land of Ardindrach. (Collections for a History of the Shires of Aberdeen and Banff, pp. 407-409.)]

thirteen shillings and four pence money; one ston of butter; two wedders; two lambs; twelve cappons; twelve henns; one leet of peits.

The town of Nether Bonnekelle pays by tuo tennants, eighty-eight pounds of money; one ston of butter; two wedders; two lambs; twelve cappons; twelve henns; one leet of peits.

The town of Over Bonnekelle pays by tuo tennants, eighty-eight pounds of money; one ston of butter; tuo wedders; tuo lambs; twelve cappons; twelve henns; one leet of peits.

The toun of Midell Bonnekelle pays by tuo tennants, eighty-eight pounds of money; one ston of butter; tuo wedders; tuo lambs; twelve cappons; twelve henns; one leet of peits.

The toun of Wester Bonnekelle pays by tuo tennants, eighty-eight pounds of money; one ston of butter; tuo wedders; tuo lambs; twelve cappons; twelve henns; one leet of peits.

The toun of Whitestones pays by one tennant, eighty-eight pounds of money; one ston of butter; tuo wedders; two lambs; twelve cappons; twelve henns; and one leet of peits.

The toun of Nether Corsgight pays by tuo tennants, seventy-four pounds thirteen shillings and four pence of money; one ston of butter; two wedders; two lambs; twelve cappons; twelve henns; and one leet of peits.

The toun of Over Corsgight pays by one tennant, seventy-four pounds thirteen shillings and four pence of money; one ston of butter; tuo wedders; tuo lambs; twelve cappons; twelve henns; and one leet of peits.

The Milne of Corbshill pays by one tennant, eight bolls of meile; forty-six pounds thirteen shillings and four pence of money; one wedder; one lamb; six cappons; and twelve henns.

The toun of Steevensburne of Feddrate pays by one tennant, nine bolls two firlots two pecks of meile; forty-eight pounds of money; one ston of butter; two wedders; two lambs; twelve cappons; twelve henns; and one leet of peits.

The Milne of Corsgight pays by one tennant, eight bolls of meile; twenty pounds of money; six cappons; six henns; and one swine.

The toun of Baybuss pays by one tennant, eighty-three pounds six shillings and eight pence; twelve cappons; and twelve henns.

The summs of the whole are, one hundred and twenty-five bolls two firlots two pecks of meile; twelve hundred and sixty-three pounds of money; twelve and a half stons of butter; twenty-three wedders; twenty-three lambs; thirteen and a half dozen cappons; fifteen dozen henns; tuo swine; and eleven leets of peits.

#### THE PARISH OF LONGSIDE.<sup>1</sup>

Act anent the erectioun of the Kirk of Longsyde.<sup>2</sup> (17th November, 1641.)



**O**URE SOVERANE LORD and estaites of parliament considering that his Maiesties wmqhill traist cowsin and counsellar Williame earle Marischall lord Keith and Altrie being vndoubtit patrone of the paroch kirk and parochyne of Petervgie and titular of the teyndis thair of lyand within the presbyterie of Dear and shirrefdome of Abirdene be reassone of the spatiuousnes and wydnes of the said parochine and of the many communicantis within the samen causit build ane new kirk vpon ane pairt thair of and nameit the samen The Kirk of Longsyde lyik as he presented Maister Alexander Irving thairto dureing his lyf tyme and with consent of Maister James Martine minister at the said kirk of Petervgie provydit him to the wiccarage teyndis of the landis wnderwrittine lyand nixt adjacent to the said newbuilt kirk with ane hundreth merkis money of this realme of silver payable be him selff and his successouris yeirlie at Witsonday as ane constant stipend for his service of the cure at the said kirk Lyik as the said wmqhill Erle haid ane great mynd to obtaine the samen kirk erectit in ane severall paroch kirk be it selff and that Williame now Erle Marishall Lord Keith and Altrie *etc.* sone and air of the said wmqhill Williame Earle Marishall being most willing to forder and prosecute his said wmqhill fatheris intentione consentis that the samen new built kirk be erectit in ane severall paroch kirk be it selff and disvnted fra the said

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 411-413.]

<sup>2</sup> [Abridged from the Acts of the Parliaments of Scotland, vol. v., pp. 616, 617.]

mother kirk of Petervgie and that the tovnnes and landis wnderwrittin be vnited to the samen and be the boundis thair of THAIRFOR our said Soverane Lord and estaites foirsaidis erectis the said new built kirk in ane severall paroch kirk and parochine be it selff to be callit nov and in all tyme comeing heirefter The paroch kirk and parochine of Longsyde and annexis all and sundrie the townes and landis of Rora Fortrie Achlie Dumpstoune Auchtidonald Mintlaw Longmure and Inverquharity mylne and mylnelandis thair of and Yookishill with thair hail pertinentis perteineing to the said Williame Erle Marishell And sicklyk all and hail the landis of Ludqwherne the townes and landis of Auchtidore Kley hilles Blexboig Newtone Weschinpole Tarhendrie Lennaboe with the new and old mylnes of Ludqwherne and mylnelandis thair of perteineing to Sir Williame Keyth of Ludqwherne knight As also all and hail the landis of Nathir Kiumundie the townes and landis of Tifrie Inverveddie Thunnertoune and Knokleith with the mylne mylnelandis and pertinentis thair of perteineing to Francis Fraser of Kinmundie As also all and hail the towne and landis of Fauchfeild Dunes Ovir and Nather Savockis with the mylne mylnelandis and pertinentis perteineing to Williame Fraser of Fauchfeild As lyikvayes all and hail the landis of Buthlaw Cadgerhill Thunnertoune and Longhill with thair pertinentis perteineing to Alexander Forbes of Boynlaw And all and hail the landis of Carnegall Hillhead Boigsyd and Auchqwottrie with the mylne mylnelandis and thair pertinentis perteineing to John Arbuthnet of Carnegall to the said new built kirk of Longsyde and declaires the samen to be the boundis of the said parochine and comprehendit within the samen And als ordaines the said William Erle Marishall his aires maill and successouris patrones of the said kirk als frielie as he and thay ar patrones of the said mother kirk of Petervgie And farder approves the presentatioune granted to the said Maister Alexander Irving of the said kirk and stipend thair of forsaid PROVYDING alvayes that the said Williame Erle Marishall and his saidis aires maill and successouris nor thair landis and teyndis within the said new erectit parochine of Longsyde or within the said old parochine of Petervgie sall be burdened with no farder stipend to the ministeris serveing the cure at the said kirk of Longsyde nor his pairt of the wiccarage teyndis of the landis foirsaidis and sovme of ane hundreth merkis money foirsaid sua that giff any farder stipend or augmentatioune beis granted the said

Erle Marishall and his foirsaidis and thair landis sall be altogidder frie thairof and only the remanent heretouris within the said parochine of Longsyde and thair landis foirsaidis and teyndis thairof subject to the payment of the samen greater stipend or augmentatioun.

Decreitt aganis Thomas Daudsone in Auchtedonalde and Androv Keth in Auldane .<sup>1</sup>

12. February 1492-3.

Anent the actionne and cause persewit be Arthure Forbes of Rerase aganis Thomas Daudsone in Auchtedonalde and Androv Keth in Auldane for the wrangwis withhaldin fra him of certane cornez extending to the avale of . j<sup>o</sup> . merkis and . xiiij . oxin as is contenit in the summondis / the said Arthure grantit that he haid ressaut . ix . of the said oxin and that thai wer nocht of sa mekle avale as his oxin wer / and allegiit be the procuratour of the said Thomas and Andro that the said cornez and oxin were deliuerit again to the said Arthure and that he wes emplesit of the avale and gudnes of thaim for the tyme . The lordis of consale thairfore assignis to the said Thomas and Andro the . xv . day of Aprile [*etc.*] to preif sufficiently that the said cornez and oxin wer deliuerit to the said Arthure [*etc.*]

9. July 1494.

The lordis of consale decrettis and deliueris that Thomas Daudsone in

<sup>1</sup> [From the *Acta Dominorum Concilii*, pp. 281, 366.

By a charter, dated at his manor of the Forest of Kyntor, on the eighth of October 1378, William of Keith, Mareschal of Scotland, lord of the barony of Alden, gave six merks yearly from the lands of Achidonalde (Achyndonald, Achtidonald) to endow a chaplainry in the choir of the cathedral of Saint Machar at Aberdeen, for the soul's health of his well-beloved clerk, Sir William of Calabre, prebendary of Ellon, and canon of Aberdeen. (*Registrum Episcopatus Aberdonensis*, vol. i., pp. 121-124, 126-128.) The grant was confirmed by Pope Clement VII. in the year 1380; and by King Robert II. in the year 1385. (*Id.* vol. i., pp. 124-126, 128, 129.) In the year 1392, by consent of Sir William of Calabre, the chantry was suppressed, and the six merks were bestowed on the stallar or vicar choral of the prebendary of Ellon. (*Id.* vol. i., pp. 179-182.)

In a roll of missing charters by King Robert I., is "Carta Roberti de Keith, Marshall of Scotland, of the lands of Alneden and Auchidounald, etc., in vicecomitatu de Aberdeen." (Robertson's *Index to the Charters*, p. 2.)]



Auchtedonalde and Androw Keth in Auldane sall content and pay to Arthure Forbes of Rerase certane cornez extending to the avale of ane hundreth merkis takin out of the landis of Torwechty and . xiiij . oxin for the quhilk thai com souerte in the justice are of Abirdene becaus thai tuk upon thaim to preif the said Arthure pait of the said gudis and failyeit in the preif [*etc.*]

Sententia in causa appellationis nobilis domine Elizabeth Forbes et Alexandri Innes de eodem pro suo interesse contra Joannem Keytht de Balmur partim confirmatoria partimque infirmatoria . lata . iij . Julij A.D. M.D.XLIII.<sup>1</sup>

Nos Martinus Balfour sacrarum litterarum professor juris pontificij bachelarius ecclesie collegiate Sancti Saluatoris intra ciuitatem Sancti Andree canonicus ac officialis Sancti Andree principalis iudexque cause et partibus infrascriptis pro tribunali sedentes in quadam causa appellationis nobilis domicelle Elizabeth Forbes sponse honorabilis viri Alexandri Innes de eodem necnon ipsius Alexandri pro suo interesse a venerabili quondam viro magistro Johanne Reide cancellario Abirdonensi ac pro tunc officiali eiusdem etc contra honorabilem virum Joannem Keytht de Balmur appellatum Decernimus dictum quondam dominum officialem Abirdonensem iudicem a quo suam sententiam diffinitiuam a qua ad nos et nostrum auditorium appellatum existit pro parte Joannis Keytht de Balmur appellati et contra dictam Elizabeth Forbes relictam quondam Gilberti Keytht et nunc sponsam dicti Alexandri Innes de eodem ac ipsum Alexandrum pro suo interesse in qua condemnauit eosdem ad soluendum dicto Joanni appellato summam quadraginta librarum quatuor solidorum et quatuor denariorum de resta summe octingentarum marcarum necnon summam sexaginta duarum librarum monete septemdecem solidorum vnus denarij et oboli pro dimedietate tertie partis totius tertie partis victualium in dicta sententia contentorum et dimediam partem tertie partis lie powder wessall prout in ipsa sententia continetur bene et iuste tulisse ipsosque propterea appellantes in prolacione eiusdem minime lesisse aut grauasse et eosdem appellantes ab eadem sententia in hac parte male et iniuste appelleasse eandemque sententiam in hac parte confirmandam fore prout eandem

<sup>1</sup> [From the Liber Officialis Sancti Andree, pp. 146, 147.]

confirmamus Dictumque quondam dominum officialem Abirdonensem in quantum condemnauit dictos Elizabeth et Alexandrum appellantes per dictam pretensam suam sententiam ad soluendum dicto Joanni Keytht summam centum librarum per eosdem appellantes intromissam prout in ipsa pretensa sententia continetur causante ineptitudine libelli dicti Joannis appellati et similiter quoad defalcacionem in ipsa sententia contentam appellantes lesisse et grauasse ipsosque ab eadem sententia in hac parte bene et iuste appellasse eandemque pretensam sententiam in hac parte cum omnibus inde secutis cassandam annullandam retractandam et infirmandam fore prout eandem in hac parte cassamus annullamus et retractamus ac infirmamus reseruando tamen dicto appellato actionem ad dictam summam centum librarum contra dictos appellantes prout de iure ipsosque appellantes et appellatos hincinde in expensis litis condemnantes taxatione earundem in nostro arbitrio imposterum reseruata.

THE END OF THE SECOND VOLUME.

ABERDEEN :  
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## CORRECTIONS.

<i>Page</i>	98.	<i>line</i>	31. <i>for</i>	concessimus.....	<i>read</i>	concepimus
"	167. col. 1.	<i>line</i>	11. <i>for</i>	inebriatus.....	"	debriatus
"	"	"	20. <i>for</i>	intrudens.....	"	intendens
"	"	"	26. <i>for</i>	evellit. ....	"	avellit
"	col. 2. <i>line</i>	2. <i>for</i>	Garrit .....	"	Garrit	
"	"	"	8. <i>for</i>	Seni .....	"	Seui
"	"	"	12. <i>for</i>	Hic .....	"	Hinc
"	"	"	23. <i>for</i>	hunc .....	"	hic
"	262.	<i>line</i>	17. <i>for</i>	tamque .....	"	tanquam
"	323. note 1. <i>line</i>	4. <i>for</i>	Redites .....	"	Redikes	
"	"	"	<i>for</i>	with .....	"	with
"	328.	<i>line</i>	26. <i>for</i>	Meldrum ....	"	Meldrum
"	422.	<i>line</i>	5. <i>for</i>	Paris; .....	"	Paris,

confirmamus Dictumque quondam dominum officialem Abirdonensem in quantum condemnauit dictos Elizabeth et Alexandrum appellantes per dictam pretensam suam sententiam ad soluendum dicto Joanni Keytht summam centum librarum per eosdem appellantes intromissam prout in ipsa pretensa sententia continetur causante ineptitudine libelli dicti Joannis appellati et similiter quoad defalcacionem in ipsa sententia contentam appellantes lesisse et grauasse ipsosque ab eadem sententia in hac parte bene et iuste appellasse eandemque pretensam sententiam in hac parte cum omnibus inde secutis cassandam annullandam retractandam et infirmandam fore prout eandem in hac parte cassamus annullamus et retractamus

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